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Councilmember

April 7, 2026

The Honorable Tom Umberg
Member, California Senate
1021 O Street, Room 6610
Sacramento, CA 95814

RE: SB 758 (Umberg) Public health: nitrous oxide.
Notice of Support (As of 1/22/2026)

Dear Senator Umberg,

The City of Paramount is pleased to support SB 758 (Umberg), which would prohibit a licensed cigarette and tobacco retailer from selling nitrous oxide and would classify 7-hydroxymitragynine (7-OH) as a Schedule I controlled substance, except as it naturally occurs in the kratom plant.

Nitrous oxide (NOX) is an odorless, colorless chemical with established legitimate uses in both food preparation and dentistry. However, it has been increasingly misused through inhalation for intoxicating purposes. In recent years, numerous California cities have reported an increase in the recreational use of nitrous oxide obtained from smoke shops and other retailers.

Not only is recreational use illegal, but it is also extremely dangerous. Earlier this year, the U.S. Food & Drug Administration (FDA) issued a warning titled "FDA Advises Consumers Not to Inhale Nitrous Oxide Products," noting that inhalation can cause neurological damage, spinal cord and brain injury, heart attack, and in some cases, death.

Although current law prohibits the sale of nitrous oxide for recreational intoxicating purposes, significant loopholes in the statutory framework allow these products to be easily diverted into the recreational market. For example, nitrous oxide canisters labeled for food preparation may be repurposed and resold in smaller quantities at various retail locations. To address this issue, many cities have enacted ordinances banning the sale of nitrous oxide at tobacco-licensed retail shops that have no real connection to legitimate uses. To date, at least 25 cities have adopted ordinances restricting nitrous oxide sales. However, effectively preventing the recreational sale of nitrous oxide on a broader scale requires clear, consistent statewide guidelines.

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Additionally, SB 758 addresses the dangers of 7-OH by classifying it as a controlled substance. 7-OH is a psychoactive alkaloid found naturally in kratom leaves. While kratom itself is used by some individuals to manage opioid withdrawal, 7-OH in high and unnatural concentrations has been linked to severe side effects, including death. In July 2025, the FDA issued a warning about the risks of 7-OH, and the Los Angeles County Department of Public Health recently banned the substance following a series of fatalities.

As a dense, working-class community with a high concentration of tobacco retailers and limited local enforcement resources, the City of Paramount has experienced firsthand the challenges posed by recreational nitrous oxide misuse. The City has received complaints about discarded NOX canisters in parks, alleys, and commercial corridors, raising concerns about youth access, impaired driving, and neighborhood safety. Paramount has also seen an increase in retailers selling nitrous oxide products with no legitimate connection to food preparation or medical use, exploiting loopholes that make enforcement difficult. Similarly, the growing availability of concentrated 7-OH products poses a public health risk to vulnerable residents, particularly given the City's proximity to regional distribution networks. SB 758 would provide Paramount with a clear statewide regulatory framework, closing loopholes that local ordinances cannot fully address and giving the City stronger tools to protect public health and safety.

This bill would address the dangerous nitrous oxide retail loophole and establish a consistent regulatory baseline for both substances, making it easier for cities to address the troubling proliferation of recreational nitrous oxide and 7-OH-related deaths.

For these reasons, the City of Paramount is pleased to support SB 758 (Umberg). Please feel free to contact City Manager John Moreno at (562) 220-2225, if you have any questions. We thank you for your time and consideration.

CITY OF PARAMOUNT



Peggy Lemons
Mayor

Cc: Honorable Congresswoman Nanette Barragan, 44th District
Honorable Assemblymember Jose Luis Solache, 62nd District
Honorable State Senator Lena Gonzalez, 33rd District
Nicholas Cabeza, Public Affairs Manager, League of California Cities
Jorge Morales, Legislative and Governmental Affairs Consultant, California Contract Cities Association