

114TH CONGRESS  
1ST SESSION

# H. R. 2058

To amend the Federal Food, Drug, and Cosmetic Act to provide for a certain effective date with respect to deemed tobacco products, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2015

Mr. COLE introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Federal Food, Drug, and Cosmetic Act to provide for a certain effective date with respect to deemed tobacco products, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FDA Deeming Author-  
5 ity Clarification Act of 2015”.

1 **SEC. 2. DATE FOR APPLICATION OF FEDERAL FOOD, DRUG,**  
2 **AND COSMETIC ACT TO DEEMED TOBACCO**  
3 **PRODUCTS.**

4 Section 901(b) of the Federal Food, Drug, and Cos-  
5 metic Act (21 U.S.C. 387a(b)) is amended—

6 (1) by striking “This chapter shall apply” and  
7 inserting the following:

8 “(1) IN GENERAL.—This chapter shall apply”;  
9 and

10 (2) by adding at the end the following new  
11 paragraph:

12 “(2) DEEMED TOBACCO PRODUCTS.—For each  
13 tobacco product deemed subject to the requirements  
14 of the Act pursuant to paragraph (1), each reference  
15 in sections 905(j) and 910(a)—

16 “(A) to ‘February 15, 2007’, shall be con-  
17 sidered to be a reference to ‘the effective date  
18 of the regulation under which a tobacco product  
19 is deemed subject to the requirements of this  
20 Act pursuant to section 901(b)(1)’; and

21 “(B) to ‘21 months after the date of enact-  
22 ment of the Family Smoking Prevention and  
23 Tobacco Control Act’, shall be considered to be  
24 a reference to ‘21 months after such effective  
25 date’.”.