

[DISCUSSION DRAFT]

115TH CONGRESS
2^D SESSION

H. R. _____

To amend the Controlled Substances Act to apply provisions relating to certain controlled substances to tableting machines and encapsulating machines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. KUSTOFF of Tennessee introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Controlled Substances Act to apply provisions relating to certain controlled substances to tableting machines and encapsulating machines, 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 “Tableting and Encap-
5 sulating Machine Regulation Act of 2018”.

1 **SEC. 2. TREATMENT OF CERTAIN MACHINES AS CON-**
2 **TROLLED SUBSTANCES.**

3 (a) DEFINITIONS.—Section 102 of the Controlled
4 Substances Act (21 U.S.C. 802) is amended by adding at
5 the end the following:

6 “(57) The term ‘encapsulating machine’ means any
7 manual, semi-automatic, or fully automatic equipment
8 which **【may be used】** to fill shells or capsules capable of
9 human or animal consumption with any powdered, granu-
10 lar, semi-solid, or liquid **【material】**, except that such defi-
11 nition does not include any handheld device with no mov-
12 ing parts that is only capable at any given time of con-
13 taining the ingredients to produce a single capsule.

14 “(58) The term ‘tableting machine’ means any man-
15 ual, semi-automatic, or fully automatic equipment which
16 **【may be used】** for the compaction or molding of powdered
17 or granular solids, or semi-solid **【material】**, to produce
18 coherent solid tablets capable of human or animal con-
19 sumption, except that such definition does not include any
20 handheld device with no moving parts that is only capable
21 at any given time of containing the ingredients to produce
22 a single tablet.”.

23 (b) TREATMENT.—Such Act is amended by adding
24 after section 204 (21 U.S.C. 814) the following:

1 **“SEC. 205 TREATMENT OF TABLETING MACHINES AND EN-**
2 **CAPSULATING MACHINES.**

3 “(a) IN GENERAL.—Subject to subsection (b), each
4 provision of this Act and of the Controlled Substances Im-
5 port and Export Act that applies with respect to a con-
6 trolled substance in schedule **[x]** shall apply with respect
7 to tableting machines and encapsulating machines.

8 “(b) MODIFICATION AND WAIVER.—**[The Attorney**
9 **General may modify or waive the application of each such**
10 **provision to tableting machines and encapsulating ma-**
11 **chines.]”.**

12 (c) CONFORMING AMENDMENT.—The table of con-
13 tents of the Comprehensive Drug Abuse Prevention and
14 Control Act of 1970 is amended by inserting after the item
15 relating to section 204 the following:

Sec. 205. Treatment of tableting machines and encapsulating machines.