

AMENDMENT TO COMMITTEE PRINT OF H.R. 2339
OFFERED BY MR. RUIZ OF CALIFORNIA

At the end of title I, add the following new section (and revise the table of contents in section 2 accordingly):

1 SEC. 107. DISGUISED ELECTRONIC NICOTINE DELIVERY
2 SYSTEMS.

3 (a) IN GENERAL.—Subsection (d) of section 906 of
4 the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
5 387f) is amended by adding at the end the following new
6 paragraph:

7 “(5) DISGUISED ELECTRONIC NICOTINE DELIV-
8 ERY SYSTEMS.—The Secretary shall by regulation—

9 “(A) require every electronic nicotine deliv-
10 ery system to bear a label clearly identifying the
11 system as an electronic nicotine delivery system;
12 and

13 “(B) prohibit the sale and distribution of
14 electronic nicotine delivery systems that are in-
15 tended to be used by, or should reasonably be
16 anticipated to be used by, individuals who have
17 not attained the minimum age established by
18 applicable law for the purchase of tobacco prod-

1 ucts to disguise their possession or use (in
2 school or other settings) of such products.”.

3 (b) APPLICABILITY.—The requirements and prohibi-
4 tions promulgated pursuant to section 906(d)(5) of the
5 Federal Food, Drug, and Cosmetic Act, as added by sub-
6 section (a), shall take effect on the date that is 2 years
7 after the date of enactment of this Act.

