

## HR 1376

Family Smoking Prevention and Tobacco Control Act

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Mar 17, 2005

**Current Status:** Referred to the Subcommittee on Health.

**Latest Action:** Referred to the Subcommittee on Health. (Mar 22, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/1376>

### Sponsor

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**Name:** Rep. Davis, Tom [R-VA-11]

**Party:** Republican • **State:** VA • **Chamber:** House

**Cosponsors** (123 total)

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| Rep. Cox, Christopher [R-CA-48]            | R · CA        |      | Apr 13, 2005 |
| Rep. Cummings, Elijah E. [D-MD-7]          | D · MD        |      | Apr 13, 2005 |
| Rep. Davis, Danny K. [D-IL-7]              | D · IL        |      | Apr 13, 2005 |
| Rep. Frank, Barney [D-MA-4]                | D · MA        |      | Apr 13, 2005 |
| Rep. Markey, Edward J. [D-MA-7]            | D · MA        |      | Apr 13, 2005 |
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| Rep. Smith, Christopher H. [R-NJ-4]        | R · NJ        |      | Apr 13, 2005 |
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| Rep. McCarthy, Carolyn [D-NY-4]         | D · NY        |      | Apr 28, 2005 |
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| Rep. Smith, Adam [D-WA-9]               | D · WA        |      | Apr 28, 2005 |
| Rep. Payne, Donald M. [D-NJ-10]         | D · NJ        |      | May 4, 2005  |
| Rep. Wexler, Robert [D-FL-19]           | D · FL        |      | May 5, 2005  |
| Rep. Capuano, Michael E. [D-MA-8]       | D · MA        |      | May 12, 2005 |
| Rep. Davis, Susan A. [D-CA-53]          | D · CA        |      | May 12, 2005 |
| Rep. Dent, Charles W. [R-PA-15]         | R · PA        |      | May 12, 2005 |
| Rep. Gerlach, Jim [R-PA-6]              | R · PA        |      | May 12, 2005 |
| Rep. Kildee, Dale E. [D-MI-5]           | D · MI        |      | May 12, 2005 |
| Rep. Matsui, Doris O. [D-CA-5]          | D · CA        |      | May 12, 2005 |
| Rep. Miller, George [D-CA-7]            | D · CA        |      | May 12, 2005 |
| Rep. Hyde, Henry J. [R-IL-6]            | R · IL        |      | May 16, 2005 |
| Rep. Bradley, Jeb [R-NH-1]              | R · NH        |      | May 26, 2005 |
| Rep. Weller, Jerry [R-IL-11]            | R · IL        |      | Jun 7, 2005  |
| Rep. Honda, Michael M. [D-CA-15]        | D · CA        |      | Jun 8, 2005  |
| Rep. Kennedy, Patrick J. [D-RI-1]       | D · RI        |      | Jun 8, 2005  |
| Rep. Emanuel, Rahm [D-IL-5]             | D · IL        |      | Jun 13, 2005 |
| Rep. Gutierrez, Luis V. [D-IL-4]        | D · IL        |      | Jun 15, 2005 |
| Rep. Baird, Brian [D-WA-3]              | D · WA        |      | Jun 22, 2005 |
| Rep. Larsen, Rick [D-WA-2]              | D · WA        |      | Jul 12, 2005 |
| Rep. Inslee, Jay [D-WA-1]               | D · WA        |      | Jul 28, 2005 |
| Rep. Case, Ed [D-HI-2]                  | D · HI        |      | Sep 14, 2005 |
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| Rep. Frelinghuysen, Rodney P. [R-NJ-11] | R · NJ        |      | Sep 14, 2005 |
| Rep. McNulty, Michael R. [D-NY-21]      | D · NY        |      | Sep 14, 2005 |
| Rep. Rothman, Steven R. [D-NJ-9]        | D · NJ        |      | Sep 14, 2005 |
| Rep. Stark, Fortney Pete [D-CA-13]      | D · CA        |      | Sep 14, 2005 |
| Rep. LoBiondo, Frank A. [R-NJ-2]        | R · NJ        |      | Sep 15, 2005 |
| Rep. Bartlett, Roscoe G. [R-MD-6]       | R · MD        |      | Oct 6, 2005  |
| Rep. Sánchez, Linda T. [D-CA-39]        | D · CA        |      | Oct 6, 2005  |

| Cosponsor                                   | Party / State | Role | Date Joined  |
|---|---------------|------|--------------|
| Rep. Emerson, Jo Ann [R-MO-8]               | R · MO        |      | Oct 18, 2005 |
| Rep. Evans, Lane [D-IL-17]                  | D · IL        |      | Nov 17, 2005 |
| Rep. Fitzpatrick, Michael G. [R-PA-8]       | R · PA        |      | Jun 6, 2006  |
| Rep. Reichert, David G. [R-WA-8]            | R · WA        |      | Jun 26, 2006 |
| Rep. Moore, Dennis [D-KS-3]                 | D · KS        |      | Jul 11, 2006 |
| Rep. Matheson, Jim [D-UT-2]                 | D · UT        |      | Jul 25, 2006 |
| Rep. Weldon, Curt [R-PA-7]                  | R · PA        |      | Jul 25, 2006 |
| Rep. Brown, Sherrod [D-OH-13]               | D · OH        |      | Aug 2, 2006  |
| Rep. Cardin, Benjamin L. [D-MD-3]           | D · MD        |      | Sep 6, 2006  |
| Rep. Nadler, Jerrold [D-NY-8]               | D · NY        |      | Sep 6, 2006  |
| Rep. Osborne, Tom [R-NE-3]                  | R · NE        |      | Sep 6, 2006  |
| Rep. Clay, Wm. Lacy [D-MO-1]                | D · MO        |      | Sep 14, 2006 |
| Rep. Engel, Eliot L. [D-NY-17]              | D · NY        |      | Sep 14, 2006 |
| Rep. Grijalva, Raúl M. [D-AZ-7]             | D · AZ        |      | Sep 14, 2006 |
| Rep. Pallone, Frank, Jr. [D-NJ-6]           | D · NJ        |      | Sep 14, 2006 |
| Rep. Solis, Hilda L. [D-CA-32]              | D · CA        |      | Sep 14, 2006 |
| Rep. Bishop, Timothy H. [D-NY-1]            | D · NY        |      | Sep 19, 2006 |
| Rep. Blumenauer, Earl [D-OR-3]              | D · OR        |      | Sep 19, 2006 |
| Rep. Herseth, Stephanie [D-SD-At Large]     | D · SD        |      | Sep 19, 2006 |
| Rep. DeLauro, Rosa L. [D-CT-3]              | D · CT        |      | Sep 20, 2006 |
| Del. Norton, Eleanor Holmes [D-DC-At Large] | D · DC        |      | Sep 26, 2006 |
| Rep. Higgins, Brian [D-NY-27]               | D · NY        |      | Sep 26, 2006 |
| Rep. DeFazio, Peter A. [D-OR-4]             | D · OR        |      | Sep 27, 2006 |
| Rep. Eshoo, Anna G. [D-CA-14]               | D · CA        |      | Sep 27, 2006 |
| Rep. Farr, Sam [D-CA-17]                    | D · CA        |      | Sep 27, 2006 |
| Rep. Green, Gene [D-TX-29]                  | D · TX        |      | Sep 27, 2006 |
| Rep. Lynch, Stephen F. [D-MA-9]             | D · MA        |      | Sep 27, 2006 |
| Rep. Schwartz, Allyson Y. [D-PA-13]         | D · PA        |      | Sep 27, 2006 |
| Rep. Dingell, John D. [D-MI-15]             | D · MI        |      | Sep 28, 2006 |
| Rep. Costello, Jerry F. [D-IL-12]           | D · IL        |      | Sep 29, 2006 |
| Rep. Jackson-Lee, Sheila [D-TX-18]          | D · TX        |      | Sep 29, 2006 |
| Rep. Larson, John B. [D-CT-1]               | D · CT        |      | Sep 29, 2006 |
| Rep. Olver, John W. [D-MA-1]                | D · MA        |      | Sep 29, 2006 |
| Rep. Owens, Major R. [D-NY-11]              | D · NY        |      | Sep 29, 2006 |
| Rep. Pascrell, Bill, Jr. [D-NJ-8]           | D · NJ        |      | Sep 29, 2006 |
| Rep. Tauscher, Ellen O. [D-CA-10]           | D · CA        |      | Sep 29, 2006 |
| Rep. Conyers, John, Jr. [D-MI-14]           | D · MI        |      | Dec 5, 2006  |
| Rep. DeGette, Diana [D-CO-1]                | D · CO        |      | Dec 5, 2006  |
| Del. Bordallo, Madeleine Z. [D-GU-At Large] | D · GU        |      | Dec 7, 2006  |
| Rep. Lewis, John [D-GA-5]                   | D · GA        |      | Dec 7, 2006  |

Committee Activity

| Committee                     | Chamber | Activity    | Date         |
|-------------------------------|---------|-------------|--------------|
| Energy and Commerce Committee | House   | Referred to | Mar 22, 2005 |

Subjects & Policy Tags

Policy Area:

Health

Related Bills

| Bill      | Relationship   | Last Action   |
|-----------|----------------|---|
| 109 S 666 | Identical bill | <b>Mar 17, 2005:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S3037-3053) |

Family Smoking Prevention and Tobacco Control Act - Amends the Federal Food, Drug, and Cosmetic Act to provide for the regulation of tobacco products by the Secretary of Health and Human Services through the Food and Drug Administration, including through disclosure, annual registration, inspection, recordkeeping, and user fee requirements.

Sets forth criteria by which tobacco products are deemed adulterated or misbranded.

Allows the Secretary to require prior approval of all label statements.

Allows the Secretary to restrict the sale or distribution of tobacco products, including advertising and promotion, if the Secretary determines that such regulation would be appropriate for the protection of the public health. Prohibits such regulations from: (1) limiting product sales or distribution to authorization of a practitioner licensed to prescribe medical products; (2) prohibiting product sales in face-to-face transactions by a specific category of retail outlets; or (3) establishing a minimum age greater than 18 years of age for product purchases.

Prohibits cigarettes from containing any artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including strawberry, cinnamon, or coffee.

Requires the Secretary to establish tobacco product standards to protect the public health, but reserves to Congress the power to ban any tobacco products or reduce the nicotine level to zero.

Allows the Secretary to take specified actions, including public notification and recall, against unreasonably harmful products.

Requires premarket approval of all new tobacco products.

Sets forth standards for the sale of modified risk tobacco products.

Sets forth provisions regarding: (1) judicial review; (2) coordination with the Federal Trade Commission (FTC); (3) congressional review of regulations; and (4) state and local authority.

Requires the Secretary to establish a Tobacco Products Scientific Advisory Committee.

Amends the Federal Cigarette Labeling and Advertising Act to change cigarette warning label and advertising requirements.

Amends the Comprehensive Smokeless Tobacco Health Education Act of 1986 to change smokeless tobacco warning label and advertising requirements.

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## **Actions Timeline**

- **Mar 22, 2005:** Referred to the Subcommittee on Health.
- **Mar 17, 2005:** Introduced in House
- **Mar 17, 2005:** Introduced in House
- **Mar 17, 2005:** Referred to the House Committee on Energy and Commerce.