

## HR 5010

### SMOKE Act

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Health

**Introduced:** Jun 26, 2014

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

**Latest Action:** Referred to the Subcommittee on Health. (Jun 27, 2014)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/5010>

### Sponsor

**Name:** Rep. Speier, Jackie [D-CA-14]

**Party:** Democratic • **State:** CA • **Chamber:** House

### Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Jun 26, 2014
Rep. Rangel, Charles B. [D-NY-13]	D · NY		Jun 26, 2014
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jun 26, 2014
Rep. Honda, Michael M. [D-CA-17]	D · CA		Jul 3, 2014
Rep. Holt, Rush [D-NJ-12]	D · NJ		Jul 15, 2014
Rep. McGovern, James P. [D-MA-2]	D · MA		Nov 12, 2014

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jun 27, 2014

### Subjects & Policy Tags

#### Policy Area:

Health

### Related Bills

Bill	Relationship	Last Action
113 HR 4325	Related bill	Mar 28, 2014: Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
113 S 2047	Related bill	Feb 26, 2014: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Stop Selling and Marketing to Our Kids E-Cigarettes Act or the SMOKE Act - Amends the Food, Drug, and Cosmetic Act to define "electronic nicotine delivery system" (e-cigarette) and "e-liquid" (solution used in an e-cigarette). Gives the Food and Drug Administration (FDA) authority to regulate e-cigarettes and e-liquids as tobacco products.

Amends the Federal Cigarette Labeling and Advertising Act to include e-cigarettes and e-liquids in the definition of cigarettes, thereby: (1) requiring warning labels to appear on packaging and advertising, and (2) prohibiting advertising in electronic media regulated by the Federal Communications Commission (FCC).

Requires the FDA to study the effects of flavorings added to e-cigarettes and e-liquids, including whether flavorings appeal to children or help adults quit smoking. Requires, upon completion of the study, the FDA to consider restricting the use of flavorings.

Directs the FDA to require child-proof packaging for e-cigarettes and e-liquids.

Directs the FDA to set nicotine dosage and concentration limits for e-cigarettes and e-liquids, respectively, and allows for exceptions.

Prohibits advertisement, promotion, or marketing of e-cigarettes and e-liquids in a manner that increases their use by minors. Sets forth authority for: (1) the Federal Trade Commission (FTC) to enforce violations as an unfair or deceptive act or practice, and (2) states to bring civil actions on behalf of residents threatened or adversely affected by such a violation. Allows the FTC to intervene and appeal in state actions.

## **Actions Timeline**

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- **Jun 27, 2014:** Referred to the Subcommittee on Health.
- **Jun 26, 2014:** Introduced in House
- **Jun 26, 2014:** Referred to the House Committee on Energy and Commerce.