

**AMENDMENT TO H.R. 4368, AS REPORTED
OFFERED BY MR. DONALDS OF FLORIDA**

At the end of the bill (before the spending reduction account), insert the following:

1 SEC. _____. (a) A premium cigar shall not be consid-
2 ered a “tobacco product” for purposes of the Federal
3 Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

4 (b) In this section, the term “premium cigar” means
5 a cigar that—

6 (1) is wrapped in whole tobacco leaf;

7 (2) contains a 100 percent leaf tobacco binder;

8 (3) contains at least 50 percent (of the filler by
9 weight) long filler tobacco (whole tobacco leaves that
10 run the length of the cigar);

11 (4) is handmade or hand rolled, meaning no
12 machinery was used apart from simple tools, such as
13 scissors to cut the tobacco prior to rolling;

14 (5) has no filter, nontobacco tip, or nontobacco
15 mouthpiece;

16 (6) does not have a characterizing flavor other
17 than tobacco;

18 (7) contains only tobacco, water, and vegetable
19 gum with no other ingredients or additives; and

1 (8) weighs more than 6 pounds per 1,000 units.

