

AMENDMENT TO
RULES COMMITTEE PRINT 119-22
OFFERED BY MR. HIGGINS OF LOUISIANA

At the end of subtitle D of title XII, add the following new section:

1 **SEC. 124___ . DESTRUCTION OF CERTAIN REFUSED ARTI-**
2 **CLES.**

3 (a) IN GENERAL.—Section 801(a) of the Federal
4 Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is
5 amended—

6 (1) in the seventh sentence, by striking “as de-
7 scribed under subsection (b).” and inserting “as de-
8 scribed under subsection (b), or any article refused
9 admission under this section, if the Secretary of
10 Health and Human Services determines that such
11 article presents a significant public health concern.”;
12 and

13 (2) in the eighth, ninth, and tenth sentences, by
14 striking “drug, device,” each place it appears and
15 inserting “drug, device, article,”.

16 (b) PROHIBITED ACTS.—Section 301 of the Federal
17 Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amend-
18 ed by adding at the end the following:

1 “(jjj) The unauthorized movement, or introduction or
2 delivery for introduction into interstate commerce, includ-
3 ing export, of an article that the Secretary has decided
4 to destroy under the seventh sentence of section 801(a).”.

5 (c) APPLICABILITY.—The amendments made by sub-
6 sections (a) and (b) shall apply to articles beginning on
7 the date that is 180 days after the date of enactment of
8 this Act.

9 (d) REGULATIONS.—The Secretary of Health and
10 Human Services, acting through the Commissioner of
11 Food and Drugs, shall—

12 (1) not later than 90 days after the date of en-
13 actment of this Act, finalize such revisions to regula-
14 tions as may be necessary to implement the amend-
15 ments made by subsections (a) and (b); and

16 (2) ensure that such regulations are consistent
17 with any applicable international agreements.

