AMENDMENT TO
RULES COMMITTEE PRINT 116–51
OFFERED BY MR. KRISHNAMOORTHI OF ILLINOIS

At the end of title I, insert the following new section:

SEC. 111. REPORTING OF CONSUMER COMPLAINTS BY ENDS MANUFACTURERS AND IMPORTERS.

Section 904 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 287d) is amended by adding at the end the following new subsection:

''(f) REPORTING OF CONSUMER COMPLAINTS BY ENDS MANUFACTURERS AND IMPORTERS.—

''(1) IN GENERAL.—Not later than the date that is 1 year after the date of enactment of the Protecting American Lungs and Reversing the Youth Tobacco Epidemic Act of 2020, and annually thereafter, each manufacturer or importer of an electronic nicotine delivery system shall submit a report to the Secretary describing each consumer complaint received by the manufacturer or importer during the reporting period with respect to such system.

''(2) COMPLAINTS INCLUDED.—The consumer complaints to be reported under paragraph (1) shall include complaints regarding—

''(A) adverse health effects associated with use of the electronic nicotine delivery system;

''(B) problematic marketing techniques associated with the electronic nicotine delivery system; and

''(C) the illegal presence or offering for sale of the electronic nicotine delivery system in a retail facility or online.

''(3) CONSUMER PRIVACY.—The Secretary—

''(A) shall maintain the confidentiality of any individually identifiable consumer information reported pursuant to this subsection; and

''(B) shall not require the inclusion of any such information in a report under this subsection.''.

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