

105TH CONGRESS  
1ST SESSION

# S. CON. RES. 69

To correct the enrollment of the bill S. 830.

---

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 1997

Mr. JEFFORDS submitted the following concurrent resolution; which was considered and agreed to

---

## CONCURRENT RESOLUTION

To correct the enrollment of the bill S. 830.

1       *Resolved by the Senate (the House of Representatives*  
2 *concurring)*, That, in the enrollment of the bill (S. 830)  
3 to amend the Federal Food, Drug, and Cosmetic Act and  
4 the Public Health Service Act to improve the regulation  
5 of food, drugs, devices, and biological products, and for  
6 other purposes, the Secretary of the Senate shall make  
7 the following corrections:

8               (1) In section 119(b) of the bill:

9                       (A) Strike paragraph (2) (relating to con-  
10 forming amendments).

1           (B) Strike “(b) SECTION 505(j).—” and  
2           all that follows through ““(3)(A) The Secretary  
3           shall” and insert the following:

4           “(b) SECTION 505(j).—Section 505(j) (21 U.S.C.  
5 355(j)) is amended by adding at the end the following  
6 paragraph:

7           “(9)(A) The Secretary shall”.

8           (2) In section 125(d)(2) of the bill, in the mat-  
9           ter preceding subparagraph (A), insert after “anti-  
10           biotic drug” the second place such term appears the  
11           following: “(including any salt or ester of the anti-  
12           biotic drug)”.

13           (3) In section 127(a) of the bill: In section  
14           503A of the Federal Food, Drug, and Cosmetic Act  
15           (as proposed to be inserted by such section 127(a)),  
16           in the second sentence of subsection (d)(2), strike  
17           “or other criteria” and insert “and other criteria”.

18           (4) In section 412(c) of the bill:

19           (A) In subparagraph (1) of section 502(e)  
20           of the Federal Food, Drug, and Cosmetic Act  
21           (as proposed to be amended by such section  
22           412(c)), in subclause (iii) of clause (A), insert  
23           before the period the following: “or to prescrip-  
24           tion drugs”.

1 (B) Strike “(c) MISBRANDING.—Subpara-  
2 graph (1) of section 502(e)” and insert the fol-  
3 lowing:

4 “(c) MISBRANDING.—

5 “(1) IN GENERAL.—Subparagraph (1) of sec-  
6 tion 502(e)”.

7 (C) Add at the end the following:

8 “(2) RULE OF CONSTRUCTION.—Nothing in  
9 this Act, or the amendments made by this Act, shall  
10 affect the question of the authority of the Secretary  
11 of Health and Human Services regarding inactive  
12 ingredient labeling for prescription drugs under sec-  
13 tions of the Federal Food, Drug, and Cosmetic Act  
14 other than section 502(e)(1)(A)(iii).”.

15 (5) Strike section 501 of the bill and insert the  
16 following:

17 **“SEC. 501. EFFECTIVE DATE.**

18 “(a) IN GENERAL.—Except as otherwise provided in  
19 this Act, this Act and the amendments made by this Act  
20 shall take effect 90 days after the date of enactment of  
21 this Act.

22 “(b) IMMEDIATE EFFECT.—Notwithstanding sub-  
23 section (a), the provisions of and the amendments made  
24 by sections 111, 121, 125, and 307 of this Act, and the  
25 provisions of section 510(m) of the Federal Food, Drug,

1 and Cosmetic Act (as added by section 206(a)(2)), shall  
2 take effect on the date of enactment of this Act.”.

○