

106TH CONGRESS
2^D SESSION

H. R. 5393

To amend title 18, United States Code, to provide a criminal penalty for the unauthorized placement of a writing with a consumer product, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2000

Mr. McCOLLUM (for himself and Ms. BALDWIN) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide a criminal penalty for the unauthorized placement of a writing with a consumer product, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. UNAUTHORIZED PLACEMENT OF WRITING**
4 **WITH A CONSUMER PRODUCT.**

5 (a) UNAUTHORIZED PLACEMENT.—Section 1365 of
6 title 18, United States Code, is amended—

7 (1) by redesignating subsections (f) and (g) as
8 subsections (g) and (h), respectively;

1 (2) by inserting after subsection (e) the fol-
2 lowing new subsection:

3 “(f)(1) Whoever knowingly stamps, prints, places, or
4 inserts any writing in or on any consumer product, or the
5 box, package, or other container of any consumer product,
6 prior to its sale to any consumer, shall be fined under this
7 title or imprisoned not more than 3 years, or both.

8 “(2) This subsection shall not apply in any case in
9 which the manufacturer, retailer, or authorized distributor
10 of the product consents to the stamping, printing, placing,
11 or inserting of the writing for promotional or sales pur-
12 poses.”; and

13 (3) Subsection (h) (as redesignated by para-
14 graph (1)) is amended—

15 (A) in paragraph (3)(D), by striking
16 “and”;

17 (B) in paragraph (4), by striking the pe-
18 riod and inserting “; and”; and

19 (C) by adding after paragraph (4) the fol-
20 lowing:

21 “(5) the term ‘writing’ means any form of rep-
22 resentation or communication, including handbills,
23 notices, or advertising that contains letters, words,
24 or pictorial representations.”.

1 (b) CONFORMING AMENDMENTS.—Sections 2261A
2 and 2332b(g)(3) of this title are each amended by striking
3 “1365(g)(3)” and inserting “1365”.

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