

## Calendar No. 152

107TH CONGRESS  
1ST SESSION**S. 1233**

To provide penalties for certain unauthorized writing with respect to consumer products.

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IN THE SENATE OF THE UNITED STATES

JULY 24, 2001

Mr. KOHL (for himself, Mr. HATCH, Mr. LEAHY, Mr. DEWINE, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

SEPTEMBER 6, 2001

Reported by Mr. LEAHY, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

To provide penalties for certain unauthorized writing with respect to consumer products.

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. SHORT TITLE.**

4 This Act may be cited as the “~~Product Packaging~~  
5 ~~Protection Act of 2001~~”.

1 **SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

2 Section 1365 of title 18, United States Code, is  
3 amended—

4 (1) by redesignating subsections (f) and (g) as  
5 subsections (g) and (h), respectively; and

6 (2) by inserting after subsection (e) the fol-  
7 lowing new subsection (f):

8 “(f)(1) Whoever, without the consent of the manufac-  
9 turer, retailer, or authorized distributor, intentionally  
10 tampers with a consumer product that is sold in interstate  
11 or foreign commerce by knowingly placing or inserting any  
12 writing in the consumer product, or the container for the  
13 consumer product, before the sale of the consumer product  
14 to any consumer shall be fined under this title, imprisoned  
15 not more than three years, or both.

16 “(2) As used in paragraph (1) of this subsection, the  
17 term ‘writing’ means any form of representation or com-  
18 munication, including handbills, notices, or advertising,  
19 that contain letters, words, or pictorial representations.”.

20 **SECTION 1. SHORT TITLE.**

21 *This Act may be cited as the “Product Packaging Pro-*  
22 *tection Act of 2001”.*

23 **SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

24 *Section 1365 of title 18, United States Code, is*  
25 *amended—*

1           (1) *by redesignating subsections (f) and (g) as*  
2           *subsections (g) and (h), respectively; and*

3           (2) *by inserting after subsection (e) the following:*

4           “(f)(1) *Whoever, without the consent of the manufac-*  
5           *turer, retailer, or distributor, intentionally tampers with*  
6           *a consumer product that is sold in interstate or foreign*  
7           *commerce by knowingly placing or inserting any writing*  
8           *in the consumer product, or in the container for the con-*  
9           *sumer product, before the sale of the consumer product to*  
10          *any consumer shall be fined under this title, imprisoned*  
11          *not more than 3 years, or both.*

12          “(2) *In this subsection, the term ‘writing’ means any*  
13          *form of representation or communication, including hand-*  
14          *bills, notices, or advertising, that contain letters, words, or*  
15          *pictorial representations.”.*

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