

116TH CONGRESS  
1ST SESSION

# H. R. 4249

To amend the Federal Cigarette Labeling and Advertising Act to extend the prohibition on electronic advertisements of cigarettes and little cigars to electronic nicotine delivery systems.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2019

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Federal Cigarette Labeling and Advertising Act to extend the prohibition on electronic advertisements of cigarettes and little cigars to electronic nicotine delivery systems.

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 “Stop Vaping Ads Act  
5 of 2019”.

1 **SEC. 2. PROHIBITION ON ELECTRONIC ADVERTISEMENTS**  
2 **OF ELECTRONIC NICOTINE DELIVERY SYS-**  
3 **TEMS.**

4 Section 6 of the Federal Cigarette Labeling and Ad-  
5 vertising Act (15 U.S.C. 1335) is amended—

6 (1) by striking “and little cigars” and inserting  
7 “, little cigars, and electronic nicotine delivery sys-  
8 tems”;

9 (2) by striking “After” and inserting the fol-  
10 lowing:

11 “(a) IN GENERAL.—After”; and

12 (3) by adding at the end the following:

13 “(b) ELECTRONIC NICOTINE DELIVERY SYSTEM DE-  
14 FINED.—In this section, the term ‘electronic nicotine de-  
15 livery system’—

16 “(1) means any electronic device that delivers  
17 nicotine, flavor, or another substance via an aero-  
18 solized solution to the user inhaling from the device  
19 (including e-cigarettes, e-hookah, e-cigars, vape pens,  
20 advanced refillable personal vaporizers, and elec-  
21 tronic pipes) and any component, liquid, part, or ac-  
22 cessory of such a device, whether or not sold sepa-  
23 rately; and

24 “(2) does not include a product that—

1           “(A) is approved by the Food and Drug  
2           Administration for sale as a tobacco cessation  
3           product or for another therapeutic purpose; and

4           “(B) is marketed and sold solely for a pur-  
5           pose described in subparagraph (A).”.

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