

111TH CONGRESS
2^D SESSION

S. 3850

To amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2010

Mr. REID (for Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

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 “Hunting, Fishing and
5 Recreational Shooting Protection Act”.

6 **SEC. 2. MODIFICATION OF DEFINITION.**

7 Section 3(2)(B) of the Toxic Substances Control Act
8 (15 U.S.C. 2602(2)(B)) is amended—

1 (1) by striking “(B) Such term does not in-
2 clude—” and inserting the following:

3 “(B) EXCLUSIONS.—The term ‘chemical
4 substance’ does not include—”;

5 (2) in clauses (i) through (iv), by striking the
6 commas at the end of the clauses and inserting
7 semicolons;

8 (3) by striking clause (v) and inserting the fol-
9 lowing:

10 “(v)(I) any article the sale of which is
11 subject to, or eligible to be subject to, the
12 tax imposed by section 4181 of the Inter-
13 nal Revenue Code of 1986, and any sepa-
14 rate component of such an article (includ-
15 ing shells, cartridges, and ammunition); or

16 “(II) any substance that is manufac-
17 tured, processed, or distributed in com-
18 merce for use in any article or separate
19 component described in subclause (I) (as
20 determined without regard to any exemp-
21 tion from the tax imposed by section 4181
22 of the Internal Revenue Code of 1986
23 under section 4182, section 4221, or any
24 other provision of that Code);”;

1 (4) in clause (vi), by striking the period at the
2 end and inserting “; or”;

3 (5) by inserting after clause (vi) the following:

4 “(vii)(I) any article the sale of which
5 is subject to, or eligible to be subject to,
6 the tax imposed by section 4161 of the In-
7 ternal Revenue Code of 1986, and any sep-
8 arate component of such an article; or

9 “(II) any substance that is manufac-
10 tured, processed, or distributed in com-
11 merce for use in any article or separate
12 component described in subclause (I).”;

13 and

14 (6) in the matter following clause (vii) (as
15 added by paragraph (5)), by striking “The term
16 ‘food’ as used in clause (vi) of this subparagraph in-
17 cludes” and inserting the following:

18 “(C) RELATED DEFINITION.—For pur-
19 poses of clause (vi) of subparagraph (B), the
20 term ‘food’ includes”.

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