Public Law 101–493
101st Congress

An Act

To amend title 39, United States Code, to make nonmailable any unsolicited sample
of a drug or other hazardous household substance which does not meet child-
resistant packaging requirements, and for other purposes.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Drug and Household Substance
Mailing Act of 1990”.

SEC. 2. MEASURES TO PREVENT INDIVIDUALS FROM BEING INVOLUN-
TARILY EXPOSED TO POTENTIALLY HAZARDOUS SUBSTANCES
RECEIVED THROUGH THE MAILS.

Section 3001 of title 39, United States Code, is amended by
redesignating subsections (f) and (g) as subsections (h) and (i), respec-
tively, and by inserting after subsection (e) the following:
“(f) Any matter which is unsolicited by the addressee, which
contains a 'household substance' (as defined by section 2 of the
Poison Prevention Packaging Act of 1970), and which does not
comply with the requirements for special child-resistant packaging
established for that substance by the Consumer Product Safety
Commission, is nonmailable matter, shall not be carried or delivered
by mail, and shall be disposed of as the Postal Service directs.
“(g)(1) Matter otherwise legally acceptable in the mails which
contains or includes a fragrance advertising sample is nonmailable
matter, shall not be carried or delivered by mail, and shall be
disposed of as the Postal Service directs, unless the sample is sealed,
wrapped, treated, or otherwise prepared in a manner reasonably
designed to prevent individuals from being unknowingly or involun-
tarily exposed to the sample.
“(2) The Postal Service shall by regulation establish the standards
or requirements which a fragrance advertising sample must satisfy
in order for the mail matter involved not to be considered non-
mailable under this subsection.”.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall take effect 180 days after
the date of enactment of this Act, and shall apply with respect to
any matter mailed on or after that effective date.


LEGISLATIVE HISTORY—H.R. 5209:
HOUSE REPORTS: No. 101–758 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD, Vol. 136 (1990):
Oct. 1, considered and passed House.
Oct. 16, considered and passed Senate.