

105TH CONGRESS  
1ST SESSION

# H. R. 768

To restrict the Food and Drug Administration from penalizing retailers for face-to-face tobacco sales that are in accordance with State law.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mr. LAHOOD (for himself, Mr. EHRLICH, and Mr. MARTINEZ) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To restrict the Food and Drug Administration from penalizing retailers for face-to-face tobacco sales that are in accordance with State law.

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. IDENTIFICATION AND TOBACCO SALES.**

4       If a State has in effect a law which prohibits the sale  
5       of cigarettes and smokeless tobacco products to individuals  
6       under age 18 or 19, the Secretary of Health and Human  
7       Services may not, through the Food and Drug Administra-  
8       tion, take enforcement action against a retailer of ciga-  
9       rettes and smokeless tobacco products for the sale in such  
10      State of cigarettes or smokeless tobacco products if such



- 1 a sale is a face-to-face transaction and is conducted in ac-
- 2 cordance with such State law to an individual who is of
- 3 legal age.

