

109TH CONGRESS  
1ST SESSION

# H. R. 2802

To prohibit the manufacture, marketing, sale, or shipment in interstate commerce of products designed to assist in defrauding a drug test.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2005

Mr. ENGEL introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To prohibit the manufacture, marketing, sale, or shipment in interstate commerce of products designed to assist in defrauding a drug test.

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 “Drug Testing Integrity  
5       Act of 2005”.

6       **SEC. 2. BAN OF PRODUCTS DESIGNED TO DEFRAUD DRUG**  
7                               **TESTS.**

8       (a) CONDUCT PROHIBITED.—It shall be unlawful to  
9       knowingly manufacture, market, sell, ship, or otherwise  
10      provide to another individual any product with the intent

1 to assist such other individual to use such product to de-  
 2 fraud a drug test.

3 (b) DEFINITION.—As used in this Act, the term “de-  
 4 fraud a drug test” means—

5 (1) submit a substance that purports to be from  
 6 an individual other than its actual source, or pur-  
 7 ports to have been excreted or collected other than  
 8 when it was actually excreted or collected; or

9 (2) engage in any other conduct with the intent  
 10 to produce a false or misleading outcome of a test  
 11 for the presence of a controlled substance.

12 **SEC. 3. ENFORCEMENT BY THE FEDERAL TRADE COMMIS-**  
 13 **SION.**

14 (a) UNFAIR AND DECEPTIVE ACT OR PRACTICE.—  
 15 A violation of section 2 shall be treated as a violation of  
 16 a rule defining an unfair or deceptive act or practice pre-  
 17 scribed under section 18(a)(1)(B) of the Federal Trade  
 18 Commission Act (15 U.S.C. 57a(a)(1)(B)).

19 (b) ENFORCEMENT AUTHORITY.—The Federal  
 20 Trade Commission shall enforce this Act in the same man-  
 21 ner, by the same means, and with the same jurisdiction  
 22 as though all applicable terms and provisions of the Fed-  
 23 eral Trade Commission Act were incorporated into and  
 24 made a part of this Act.

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