

110TH CONGRESS  
1ST SESSION

# H. R. 4125

To amend the Hobby Protection Act to require that imitation Civil War items be clearly marked as copies.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2007

Mr. MORAN of Virginia (for himself and Mr. CULBERSON) introduced the following bill; which was referred to the Committee on Energy and Commerce

---

## A BILL

To amend the Hobby Protection Act to require that imitation Civil War items be clearly marked as copies.

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. MARKING REQUIREMENTS FOR IMITATION**

4                       **CIVIL WAR ITEMS.**

5               (a) MARKING REQUIREMENTS.—Section 2 of the  
6       Hobby Protection Act (15 U.S.C. 2101) is amended—

7                       (1) by redesignating subsections (c) and (d) as  
8       subsections (d) and (e), respectively, and by insert-  
9       ing after subsection (b) the following:

1       “(c) IMITATION CIVIL WAR ITEMS.—The manufac-  
 2       ture in the United States, or the importation into the  
 3       United States, for introduction into or distribution in com-  
 4       merce of any imitation Civil War item which is not plainly  
 5       and permanently marked ‘copy’ or ‘facsimile’ is unlawful  
 6       and is an unfair and deceptive act or practice in commerce  
 7       under the Federal Trade Commission Act (15 U.S.C. 41  
 8       et seq.).”;

9               (2) in subsection (d) (as so redesignated), by  
 10       striking “subsection (a) or (b)” and inserting “sub-  
 11       section (a), (b) and (c)”; and

12              (3) in subsection (e) (as so redesignated)—

13                   (A) by striking “(a) and (b), and regula-  
 14                   tions under subsection (c)” and inserting “(a),  
 15                   (b) and (c), and regulations under subsection  
 16                   (d)”; and

17                   (B) by striking “or imitation numismatic  
 18                   item” and inserting “, imitation numismatic  
 19                   item, or imitation Civil War item”.

20       (b) IMITATION CIVIL WAR ITEM DEFINED.—Section  
 21       7 of the Hobby Protection Act (15 U.S.C. 2106) is amend-  
 22       ed by adding at the end the following:

23               “(8) The term ‘imitation Civil War item’ means  
 24       an item which purports to be, but in fact is not, an  
 25       original Civil War item, or which is a reproduction,

1 copy, facsimile, or counterfeit of an original Civil  
2 War item.

3 “(9) The term ‘original Civil War item’ means  
4 any firearm, knife, sword, or other weapon, or any  
5 uniform or portion thereof, or any accoutrement  
6 used during the period of the American Civil War,  
7 or any such item in existence during and related to  
8 the American Civil War.”.

9 (c) CONFORMING AMENDMENTS.—The Hobby Pro-  
10 tection Act is further amended—

11 (1) in section 3 (15 U.S.C. 2102), by striking  
12 “section 2(a) or (b) or a rule under section 2(c)”  
13 and inserting “subsections (a), (b) or (c) of section  
14 2 or a rule under section 2(d)”; and

15 (2) in section 5 (15 U.S.C. 2104), by striking  
16 “section 2(a) or (b) or a rule under section 2(c)”  
17 and inserting “subsections (a), (b) or (c) of section  
18 2 or a rule under section 2(d)”.

19 **SEC. 2. RULES PRESCRIBED BY THE FEDERAL TRADE COM-**  
20 **MISSION.**

21 In prescribing rules required under section 2(d) of  
22 the Hobby Protection Act (as redesignated by section 1(a)  
23 of this Act) relating to the amendments made by this Act,  
24 the Federal Trade Commission shall prescribe rules relat-  
25 ing to imitation Civil War items (as defined in the amend-

1 ment made by section 1(b)) that are substantially similar  
2 to the rules prescribed by the Commission relating to imi-  
3 tation numismatic items.

○