

111TH CONGRESS
2D SESSION

H. R. 5887

To amend the Federal Hazardous Substances Act to require the inclusion of warning labels on Internet and catalogue advertising of certain toys and games.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2010

Mrs. LOWEY introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Federal Hazardous Substances Act to require the inclusion of warning labels on Internet and catalogue advertising of certain toys and games.

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 “Choking Hazard
5 Awareness Act”.

1 **SEC. 2. LABELING REQUIREMENT FOR INTERNET AND**
2 **CATALOGUE ADVERTISING OF CERTAIN TOYS**
3 **AND GAMES.**

4 Section 24 of the Federal Hazardous Substances Act
5 (15 U.S.C. 1278) is amended—

6 (1) by redesignating subsections (c) and (d) as
7 subsections (d) and (e), respectively;

8 (2) by inserting after subsection (b) the fol-
9 lowing:

10 “(c) INTERNET, CATALOGUE, AND OTHER ADVER-
11 TISING.—

12 “(1) REQUIREMENT.—Any advertisement for
13 any toy, game, balloon, small ball, or marble that re-
14 quires a cautionary statement under subsections (a)
15 and (b), including advertisement on Internet
16 websites or in catalogues or other distributed mate-
17 rials, shall include the appropriate cautionary state-
18 ment required under such subsections in its entirety
19 displayed on or immediately adjacent to such adver-
20 tisement. Such cautionary statement shall be dis-
21 played in the language that is primarily used in the
22 advertisement, catalogue, or Internet website, and in
23 conspicuous and legible type in contrast by typog-
24 raphy, layout, or color with other material printed or
25 displayed in such advertisement, and in a manner

1 consistent with part 1500 of title 16, Code of Fed-
2 eral Regulations (or a successor regulation thereto).

3 “(2) ENFORCEMENT.—The requirement in
4 paragraph (1) shall be treated as a consumer prod-
5 uct safety standard promulgated under section 7 of
6 the Consumer Product Safety Act (15 U.S.C. 2056)
7 and the publication or distribution of any advertise-
8 ment that is not in compliance with the require-
9 ments of paragraph (1) shall be treated as a prohib-
10 ited act under section 19 of such Act (15 U.S.C.
11 2068).”.

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