

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3850

To amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2010

Mr. REID (for Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

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 “Hunting, Fishing and  
5       Recreational Shooting Protection Act”.

6       **SEC. 2. MODIFICATION OF DEFINITION.**

7       Section 3(2)(B) of the Toxic Substances Control Act  
8       (15 U.S.C. 2602(2)(B)) is amended—

1           (1) by striking “(B) Such term does not in-  
2           clude—” and inserting the following:

3                   “(B) EXCLUSIONS.—The term ‘chemical  
4                   substance’ does not include—”;

5           (2) in clauses (i) through (iv), by striking the  
6           commas at the end of the clauses and inserting  
7           semicolons;

8           (3) by striking clause (v) and inserting the fol-  
9           lowing:

10                   “(v)(I) any article the sale of which is  
11                   subject to, or eligible to be subject to, the  
12                   tax imposed by section 4181 of the Inter-  
13                   nal Revenue Code of 1986, and any sepa-  
14                   rate component of such an article (includ-  
15                   ing shells, cartridges, and ammunition); or

16                   “(II) any substance that is manufac-  
17                   tured, processed, or distributed in com-  
18                   merce for use in any article or separate  
19                   component described in subclause (I) (as  
20                   determined without regard to any exemp-  
21                   tion from the tax imposed by section 4181  
22                   of the Internal Revenue Code of 1986  
23                   under section 4182, section 4221, or any  
24                   other provision of that Code);”;

1           (4) in clause (vi), by striking the period at the  
2           end and inserting “; or”;

3           (5) by inserting after clause (vi) the following:

4                   “(vii)(I) any article the sale of which  
5                   is subject to, or eligible to be subject to,  
6                   the tax imposed by section 4161 of the In-  
7                   ternal Revenue Code of 1986, and any sep-  
8                   arate component of such an article; or

9                   “(II) any substance that is manufac-  
10                  tured, processed, or distributed in com-  
11                  merce for use in any article or separate  
12                  component described in subclause (I).”;

13                  and

14           (6) in the matter following clause (vii) (as  
15           added by paragraph (5)), by striking “The term  
16           ‘food’ as used in clause (vi) of this subparagraph in-  
17           cludes” and inserting the following:

18                   “(C) RELATED DEFINITION.—For pur-  
19                   poses of clause (vi) of subparagraph (B), the  
20                   term ‘food’ includes”.

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