

“(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress should promote the installation of carbon monoxide alarms in residential homes and dwelling units across the United States in order to promote the health and public safety of citizens throughout the United States.”

DEFINITIONS

Pub. L. 117–103, div. Q, title II, §203, Mar. 15, 2022, 136 Stat. 813, provided that: “In this title [enacting this section and provisions set out as notes under this section and section 2051 of this title]:

“(1) CARBON MONOXIDE ALARM.—The term ‘carbon monoxide alarm’ means a device or system that—

“(A) detects carbon monoxide; and

“(B) is intended to sound an alarm at a carbon monoxide concentration below a concentration that could cause a loss of the ability to react to the dangers of carbon monoxide exposure.

“(2) COMMISSION.—The term ‘Commission’ means the Consumer Product Safety Commission.

“(3) COMPLIANT CARBON MONOXIDE ALARM.—The term ‘compliant carbon monoxide alarm’ means a carbon monoxide alarm that complies with the most current version of—

“(A) the Standard for Single and Multiple Station Carbon Monoxide Alarms of the American National Standards Institute and UL (ANSI/UL 2034), or any successor standard; and

“(B) the Standard for Gas and Vapor Detectors and Sensors of the American National Standards Institute and UL (ANSI/UL 2075), or any successor standard.

“(4) DWELLING UNIT.—The term ‘dwelling unit’—

“(A) means a room or suite of rooms used for human habitation; and

“(B) includes—

“(i) a single family residence;

“(ii) each living unit of a multiple family residence, including an apartment building; and

“(iii) each living unit in a mixed use building.

“(5) FIRE CODE ENFORCEMENT OFFICIALS.—The term ‘fire code enforcement officials’ means officials of the fire safety code enforcement agency of a State or local government or a Tribal organization.

“(6) INTERNATIONAL FIRE CODE.—The term ‘IFC’ means—

“(A) the 2015 or 2018 edition of the International Fire Code published by the International Code Council; or

“(B) any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.

“(7) INTERNATIONAL RESIDENTIAL CODE.—The term ‘IRC’ means—

“(A) the 2015 or 2018 edition of the International Residential Code published by the International Code Council; or

“(B) any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.

“(8) NFPA 720.—The term ‘NFPA 720’ means—

“(A) the Standard for the Installation of Carbon Monoxide Detection and Warning Equipment issued by the National Fire Protection Association in 2012; and

“(B) any amended or similar successor standard relating to the proper installation of carbon monoxide alarms in dwelling units.

“(9) STATE.—The term ‘State’—

“(A) has the meaning given the term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)); and

“(B) includes—

“(i) the Commonwealth of the Northern Mariana Islands; and

“(ii) any political subdivision of a State.

“(10) TRIBAL ORGANIZATION.—The term ‘Tribal organization’ has the meaning given the term in section 4(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(l)).”

CHAPTER 48—HOBBY PROTECTION

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§ 2101. Marking requirements

(a) Political items

The manufacture in the United States, or the importation into the United States, for introduction into or distribution in commerce of any imitation political item which is not plainly and permanently marked with the calendar year in which such item was manufactured, is unlawful and is an unfair or deceptive act or practice in commerce under the Federal Trade Commission Act [15 U.S.C. 41 et seq.].

(b) Coins and other numismatic items

The manufacture in the United States, or the importation into the United States, for introduction into or distribution in commerce, or the sale in commerce of any imitation numismatic item which is not plainly and permanently marked “copy”, is unlawful and is an unfair or deceptive act or practice in commerce under the Federal Trade Commission Act [15 U.S.C. 41 et seq.].

(c) Rules and regulations

The Federal Trade Commission shall prescribe rules for determining the manner and form in which items described in subsection (a) or (b) shall be permanently marked.

(d) Provision of assistance or support

It shall be a violation of subsection (a) or (b) for a person to provide substantial assistance or support to any manufacturer, importer, or seller if that person knows or should have known that the manufacturer, importer, or seller is engaged in any act or practice that violates subsection (a) or (b).

(e) Exemption

Subsections (a)¹ (b), and (d), and regulations under subsection (c), shall not apply to any common carrier or contract carrier or freight forwarder with respect to an imitation political item or imitation numismatic item received, shipped, delivered, or handled by it for shipment in the ordinary course of its business.

(Pub. L. 93–167, §2, Nov. 29, 1973, 87 Stat. 686; Pub. L. 113–288, §2(1), Dec. 19, 2014, 128 Stat. 3281.)

Editorial Notes

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in subsecs. (a) and (b), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, which is classified generally to subchapter I (§41 et seq.) of chapter 2 of this title. For complete classification of this Act to the Code, see section 58 of this title and Tables.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113–288, §2(1)(A), inserted “, or the sale in commerce” after “distribution in commerce”.

¹ So in original. Probably should be followed by a comma.

Subsec. (d). Pub. L. 113-288, §2(1)(B), added subsec. (d). Former subsec. (d) redesignated (e).

Subsec. (e). Pub. L. 113-288, §2(1)(B), (C), redesignated subsec. (d) as (e) and substituted “(b), and (d)” for “and (b)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 93-167, §8, Nov. 29, 1973, 87 Stat. 687, provided that: “This Act [enacting this chapter] shall apply only to imitation political items and imitation numismatic items manufactured after the date of enactment of this Act [Nov. 29, 1973].”

SHORT TITLE OF 2014 AMENDMENT

Pub. L. 113-288, §1, Dec. 19, 2014, 128 Stat. 3281, provided that: “This Act [amending this section and sections 2102 and 2106 of this title] may be cited as the ‘Collectible Coin Protection Act’.”

SHORT TITLE

Pub. L. 93-167, §1, Nov. 29, 1973, 87 Stat. 686, provided: “That this Act [enacting this chapter] may be cited as the ‘Hobby Protection Act’.”

§ 2102. Private enforcement

(a) In general

If any person violates section 2101(a) or (b) of this title or a rule under section 2101(c) of this title, any interested person may commence a civil action for injunctive relief restraining such violation, and for damages, in any United States District Court for a district in which the defendant resides, has an agent, transacts business, or wherever venue is proper under section 1391 of title 28. In any such action, the court may award the costs of the suit, including reasonable attorneys’ fees.

(b) Trademark violations

If the violation of section 2101(a) or (b) of this title or a rule under section 2101(c) of this title also involves unauthorized use of registered trademarks belonging to a collectibles certification service, the owner of such trademarks shall have, in addition to the remedies provided in subsection (a), all rights provided under sections 34, 35, and 36 of the Trademark Act of 1946 (15 U.S.C. 1116, 1117, and 1118) for violations of such Act.

(Pub. L. 93-167, §3, Nov. 29, 1973, 87 Stat. 686; Pub. L. 113-288, §2(2), Dec. 19, 2014, 128 Stat. 3281.)

Editorial Notes

REFERENCES IN TEXT

The Trademark Act of 1946, referred to in subsec. (b), is act July 5, 1946, ch. 540, 60 Stat. 427, also popularly known as the Lanham Act, which is classified generally to chapter 22 (§1051 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1051 of this title and Tables.

AMENDMENTS

2014—Pub. L. 113-288 designated existing provisions as subsec. (a), inserted heading, substituted “, has an agent, transacts business, or wherever venue is proper under section 1391 of title 28” for “or has an agent”, and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to imitation political items and imitation numismatic items manufactured after

Nov. 29, 1973, see section 8 of Pub. L. 93-167, set out as a note under section 2101 of this title.

§ 2103. Enforcement by Federal Trade Commission

(a) Statutory authority

Except as provided in section 2102 of this title, this chapter shall be enforced by the Federal Trade Commission under the Federal Trade Commission Act [15 U.S.C. 41 et seq.].

(b) Incorporation of Federal Trade Commission Act provisions

The Commission shall prevent any person from violating the provisions of this chapter in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act [15 U.S.C. 41 et seq.] were incorporated into and made a part of this chapter; and any such person violating the provisions of this chapter shall be subject to the penalties and entitled to the privileges and immunities provided in said Federal Trade Commission Act, in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though the applicable terms and provisions of the said Federal Trade Commission Act were incorporated into and made a part of this chapter.

(Pub. L. 93-167, §4, Nov. 29, 1973, 87 Stat. 686.)

Editorial Notes

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in text, is act Sept. 26, 1914, ch. 311, 38 Stat. 717, which is classified generally to subchapter I (§41 et seq.) of chapter 2 of this title. For complete classification of this Act to the Code, see section 58 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to imitation political items and imitation numismatic items manufactured after Nov. 29, 1973, see section 8 of Pub. L. 93-167, set out as a note under section 2101 of this title.

§ 2104. Imports

Any item imported into the United States in violation of section 2101(a) or (b) of this title or regulations under section 2101(c) of this title shall be subject to seizure and forfeiture under the customs laws.

(Pub. L. 93-167, §5, Nov. 29, 1973, 87 Stat. 687.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section applicable only to imitation political items and imitation numismatic items manufactured after Nov. 29, 1973, see section 8 of Pub. L. 93-167, set out as a note under section 2101 of this title.

§ 2105. Application of other laws

The provisions of this chapter are in addition to, and not in substitution for or limitation of, the provisions of any other law of the United States or of the law of any State.