

109TH CONGRESS
1ST SESSION

H. R. 2749

To require cigarette products to be placed under or behind the counter
in retail sales.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2005

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

A BILL

To require cigarette products to be placed under or behind
the counter in retail sales.

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. RETAIL SALES OF CIGARETTE PRODUCTS.**

4 (a) **PRODUCT PLACEMENT.**—It shall be unlawful for
5 any person engaged in the retail sales of cigarette products
6 to place cigarette products in the general merchandise
7 areas of a retail sales facility and within reach of cus-
8 tomers. All cigarette products sold at retail must be placed
9 under or behind a counter where they may be accessible
10 only to a salesperson.

1 (b) ENFORCEMENT.—

2 (1) UNFAIR AND DECEPTIVE ACT OR PRAC-
3 TICE.—A violation of this Act shall be treated as a
4 violation of a rule defining an unfair or deceptive act
5 or practice prescribed under section 18(a)(1)(B) of
6 the Federal Trade Commission Act (15 U.S.C.
7 57a(a)(1)(B)).

8 (2) ENFORCEMENT AUTHORITY.—The Federal
9 Trade Commission shall enforce this Act in the same
10 manner, by the same means, and with the same ju-
11 risdiction, powers, and duties as though all applica-
12 ble terms and provisions of the Federal Trade Com-
13 mission Act (15 U.S.C. 41 et seq.) were incor-
14 porated into and made a part of this Act.

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