

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4040  
OFFERED BY MR. MATHESON**

At the end of the bill insert the following:

1 **SEC. 223. NONAPPLICABILITY TO FDA-REGULATED PROD-**  
2 **UCTS.**

3 Nothing in this Act or the amendments made by this  
4 Act shall apply to any food, drugs, devices, or cosmetics,  
5 as defined, respectively, in section 201(f), (g), (h), or (i),  
6 of the Federal Food, Drug, and Cosmetics Act (21 U.S.C.  
7 321(f)-(i)).

8 **TITLE III—MISCELLANEOUS**  
9 **PROVISIONS**

10 **SEC. 301. WARNING LABEL FOR CERTAIN CERAMIC PROD-**  
11 **UCTS CONTAINING LEAD.**

12 (a) LABEL REQUIREMENT.—Not later than 180 days  
13 after the date of enactment of this Act, any ceramic plate,  
14 dish, bowl or other container intended for use with food  
15 that contains any lead content shall bear a label stating  
16 “THIS PRODUCT MAY CONTAIN LEAD”.

17 (b) CONSUMER PRODUCT SAFETY RULE.—The re-  
18 quirement in subsection (a) shall be considered a con-

- 1 consumer product safety rule promulgated under section 9 of
- 2 the Consumer Product Safety Act (15 U.S.C. 2058).

Amend the table of contents in section 1(b) by adding at the end the following:

Sec. 223. Nonapplicability to FDA-regulated products.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Warning label for certain ceramic products containing lead.