

**Opening Statement of the Honorable Fred Upton  
Subcommittee on Commerce, Manufacturing, and Trade  
Markup of H.R. 985, the Concrete Masonry Products, Research, Education, and  
Promotion Act; the Child Nicotine Poisoning Prevention Act; and the E-Warranty  
July 23, 2015**

*(As Prepared for Delivery)*

Today we come together to consider three legislative proposals that will help create jobs, save money, and protect children.

H.R. 985, introduced by Representative Guthrie, would allow the concrete masonry industry to establish a national check-off program to help support industry programs related to generic research, promotion, and education. This legislation offers manufacturers of concrete masonry products a uniform opportunity to help grow their businesses and create jobs. This bill has strong bipartisan support and I commend Representative Guthrie for his leadership on this issue.

We will also mark up the E-Warranty Act sponsored by Mr. Mullin. This bill provides important regulatory flexibility to manufacturers by allowing them to post product warranties online. We live during a time where Internet connectivity and networked sensors are being integrated into every facet of our lives. The use of the Internet and other advanced technologies is generating significant efficiencies and resource savings for businesses and consumers that should be available to every sector of the economy. This measure helps to extend that opportunity and I thank Mr. Mullin for his work in this area.

Finally, we will consider the Child Nicotine Poisoning Prevention Act. This bill would require manufacturers to child-proof containers of liquid nicotine used in electronic cigarettes and other similar devices. While I'm well aware of the FDA's intent to take regulatory action regarding electronic cigarettes at some point in the future, the purpose of this draft measure is not meant to create a jurisdictional fight between government agencies or constrain the FDA from any future action in this area. It is simply meant to protect children now.

Children in Michigan and across the country are at risk as there have already been thousands of reported poisonings related to liquid nicotine among kids and one death. Any additional delay on our part to require child-proof packaging for this lethal substance would be done at the peril of our nation's children. This is an immediate public health concern that needs to be swiftly addressed. I have confidence that, given the Consumer Product Safety Commission's extensive expertise in implementing and enforcing child-resistant packaging standards, the Commission is well positioned to take action on this issue when given the green-light.

I hope my colleagues will join me in supporting this draft legislation as well as the other two bills.

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