

119TH CONGRESS
1ST SESSION

S. _____

To amend the Controlled Substances Act to require regulated persons to identify tableting machines and encapsulating machines by serial number.

IN THE SENATE OF THE UNITED STATES

Mr. CORNYN (for himself, Mr. COONS, Mr. MORAN, Mr. FETTERMAN, Mr. TILLIS, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Controlled Substances Act to require regulated persons to identify tableting machines and encapsulating machines by serial number.

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 “Fight Illicit Pill Press-
5 es Act”.

6 **SEC. 2. REGULATION OF CERTAIN MACHINES.**

7 (a) DEFINITIONS.—Section 102 of the Controlled
8 Substances Act (21 U.S.C. 802) is amended—

1 (1) by striking paragraph (38) and inserting
2 the following:

3 “(38) The term ‘regulated person’ means a person
4 who—

5 “(A) manufactures, distributes, imports, or ex-
6 ports a listed chemical;

7 “(B) manufactures, distributes, delivers, sells,
8 imports, or exports a tableting machine, an encap-
9 sulating machine, or a critical part; or

10 “(C) who acts as a broker or trader for an
11 international transaction involving a listed chemical,
12 a tableting machine, an encapsulating machine, or a
13 critical part.”;

14 (2) by striking paragraph (39)(B) and inserting
15 the following:

16 “(B) a distribution, delivery, sale, importation,
17 or exportation of a tableting machine, encapsulating
18 machine, or critical part.”; and

19 (3) by adding at the end the following:

20 “(61) The term ‘critical part’, when used in reference
21 to a tableting machine or encapsulating machine, means
22 any of the following integral parts of a tableting or encap-
23 sulating machine:

24 “(A) An upper punch.

25 “(B) A lower punch.

1 “(C) A die.

2 “(62) The term ‘die’ means a tool that serves as the
3 mold in which a product is compressed to form the desired
4 size and shape of a tablet or capsule.

5 “(63) The term ‘lower punch’ means the punch in-
6 serted into the turret below the die.

7 “(64) The term ‘punch’ means a rod-shaped tool used
8 in producing tablets and other products.

9 “(65) The term ‘upper punch’ means the punch in-
10 serted into the turret above the die.”.

11 (b) REGULATION.—

12 (1) RECORDS OF REGULATED TRANSACTIONS.—

13 Section 310(a) of the Controlled Substances Act (21
14 U.S.C. 830(a)) is amended by adding at the end the
15 following:

16 “(4) Each regulated person who manufactures, dis-
17 tributes, delivers, sells, imports, or exports a tableting ma-
18 chine, an encapsulating machine, a critical part of a
19 tableting machine, or a critical part of an encapsulating
20 machine shall, when and as required by regulations of the
21 Attorney General, identify the tableting machine, encap-
22 sulating machine, critical part of a tableting machine, or
23 critical part of an encapsulating machine by means of a
24 serial number that is engraved, cast, or otherwise perma-
25 nently affixed to a nonremovable part of the tableting ma-

1 chine, encapsulating machine, or critical part of a
2 tableting machine, or critical part of an encapsulating ma-
3 chine.”.

4 (2) REPORTS TO ATTORNEY GENERAL.—Section
5 310(b)(1) of the Controlled Substances Act (21
6 U.S.C. 830(b)(1)) is amended by striking subpara-
7 graph (D) and inserting the following:

8 “(D) any regulated transaction in a tableting
9 machine, encapsulating machine, or critical part, in-
10 cluding the serial number affixed to the tableting
11 machine, encapsulating machine, or critical part.”.

12 (3) REGULATIONS.—

13 (A) IN GENERAL.—Not later than 180
14 days after the date of enactment of this Act,
15 the Attorney General shall promulgate regula-
16 tions carrying out the amendments made by
17 paragraph (1).

18 (B) DETAILED GUIDANCE.—The regula-
19 tions required under subparagraph (A) shall in-
20 clude detailed guidance on serial numbers af-
21 fixed to tableting machines, encapsulating ma-
22 chines, or critical parts manufactured on or be-
23 fore the date of enactment of this Act.

24 (C) REQUIREMENT.—Notwithstanding
25 paragraph (4), a serial number affixed to

1 tableting machine, encapsulating machine, or
2 critical part manufactured on or before the date
3 of enactment of this Act in accordance with the
4 guidance provided under subparagraph (B)
5 shall be deemed required under paragraph (4)
6 of section 310(a) of the Controlled Substances
7 Act, as added by paragraph (1) of this sub-
8 section.

9 (4) EFFECTIVE DATE.—The amendments made
10 by paragraph (1) shall apply only to any tableting
11 machine, encapsulating machine, or critical part
12 manufactured, distributed, delivered, sold, imported,
13 or exported after the effective date of the regulations
14 promulgated under paragraph (2).

15 (c) PROHIBITED ACTS.—Section 403(a) of the Con-
16 trolled Substances Act (21 U.S.C. 843(a)) is amended—

17 (1) in paragraph (8), by striking “or” at the
18 end;

19 (2) in paragraph (9), by striking the period at
20 the end and inserting a semicolon; and

21 (3) by adding at the end the following:

22 “(10) to remove, alter, or obliterate any serial
23 number affixed to a tableting machine, encap-
24 sulating machine, a critical part of a tableting ma-
25 chine, or a critical part of an encapsulating machine,

1 that is required to have a serial number and with
2 reasonable cause to believe the serial number is so
3 required ; or

4 “(11) to transport, ship, receive, possess, dis-
5 tribute, deliver, sell, import, or export any tableting
6 machine, encapsulating machine, a critical part of a
7 tableting machine, or a critical part of an encap-
8 sulating machine that is required to have a serial
9 number, knowing that the serial number has been
10 removed, altered, or obliterated, and with reasonable
11 cause to believe the serial number is so required.”.