

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 1321
OFFERED BY Mr. Pallone**

Page 2, strike lines 1 through 5 and insert the following:

1 “(B) the term ‘rinse-off cosmetic’ includes
2 toothpaste.”.

Page 3, after line 10, insert the following:

3 (d) RULE OF CONSTRUCTION.—Nothing in this Act
4 (or the amendments made by this Act) shall be construed
5 to apply with respect to drugs that are not also cosmetics
6 (as such terms are defined in section 201 of the Federal
7 Food, Drug, and Cosmetic Act (21 U.S.C. 321)).

