

AMENDMENT TO H.R. 6190
OFFERED BY MR. PALLONE OF NEW JERSEY

At the end of the bill, add the following new section:

1 **SEC. 3. AVOIDING PATIENT CONFUSION AND PROTECTING**
2 **PUBLIC HEALTH.**

3 (a) DETERMINATION BY FDA.—Not later than 30
4 days after the date of enactment of this Act, the Commis-
5 sioner of Food and Drugs shall determine whether return-
6 ing Primatene Mist to the market—

7 (1) is likely or unlikely to cause significant pa-
8 tient confusion; and

9 (2) will provide an overall benefit to public
10 health.

11 (b) EFFECTIVENESS.—Section 2 shall not take effect
12 unless and until the Commissioner of Food and Drugs de-
13 termines, pursuant to subsection (a), that returning
14 Primatene Mist to the market—

15 (1) is unlikely to cause significant patient con-
16 fusion; and

17 (2) will provide an overall benefit to public
18 health.

