



Rep. Luis Arroyo

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09600HB0044ham001

LRB096 02989 RPM 24958 a

1 AMENDMENT TO HOUSE BILL 44

2 AMENDMENT NO. _____. Amend House Bill 44 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Food, Drug and Cosmetic Act is
5 amended by changing Sections 3 and 4 and by adding Section 3.23
6 as follows:

7 (410 ILCS 620/3) (from Ch. 56 1/2, par. 503)

8 Sec. 3. The enumerated acts in Sections 3.1 through 3.23
9 ~~3.21~~ and the causing thereof are prohibited in this State.

10 (Source: P.A. 84-891.)

11 (410 ILCS 620/3.23 new)

12 Sec. 3.23. The sale, offering for sale, or delivery of any
13 energy drink with a caffeine level of 5.9 mg or more per ounce
14 to a person under 13 years of age. The sale, offering for sale,
15 or delivery of an energy drink with a caffeine level of 5.9 mg

1 or more per ounce to any person without a label that
2 prominently displays the level of caffeine contained in the
3 drink measured in milligrams per ounce and a warning indicating
4 that ingesting high levels of caffeine may pose a health risk
5 to children. For the purpose of this Section, "energy drink"
6 means any softdrink with a caffeine level of 5.9 mg or more per
7 ounce.

8 (410 ILCS 620/4) (from Ch. 56 1/2, par. 504)

9 Sec. 4. In addition to the remedies hereinafter provided
10 the Director is authorized to file a complaint and apply to the
11 circuit court for, and such court may upon hearing and for
12 cause shown grant, a temporary restraining order or preliminary
13 or permanent injunction restraining any person from violating
14 any provision of Sections 3.1 through 3.23 ~~3.21~~.

15 (Source: P.A. 84-891.)".