

119TH CONGRESS
1ST SESSION

H. R. 1100

To amend the Controlled Substances Act to provide for the regulation of critical parts of tableting machines and encapsulating machines, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2025

Ms. STANSBURY (for herself, Mr. GRIJALVA, Ms. PETTERSEN, Ms. SALINAS, and Mr. HORSFORD) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act to provide for the regulation of critical parts of tableting machines and encapsulating machines, and for other purposes.

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 “Stop the Opioid Pill
5 Presser and Fentanyl Act” or the “STOPP Act”.

1 **SEC. 2. DEFINITIONS.**

2 Section 102 of the Controlled Substances Act (21
3 U.S.C. 802) is amended—

4 (1) in paragraph (38), by striking “or an en-
5 capsulating machine” and inserting “an encap-
6 sulating machine, a critical part of a tableting ma-
7 chine, or a critical part of an encapsulating ma-
8 chine”;

9 (2) in paragraph (39)(B)—

10 (A) by striking “distribution, importation,
11 or exportation of” and inserting “distribution,
12 receipt, sale, importation, or exportation of, or
13 an international transaction involving shipment
14 of”; and

15 (B) by striking “or encapsulating ma-
16 chine” and inserting “, encapsulating machine,
17 critical part of a tableting machine, or critical
18 part of an encapsulating machine”;

19 (3) in paragraph (42), by striking “a listed
20 chemical” and inserting “a listed chemical, a
21 tableting machine, an encapsulating machine, a crit-
22 ical part of a tableting machine, or a critical part of
23 an encapsulating machine”;

24 (4) in paragraph (43), by striking “a listed
25 chemical” and inserting “a listed chemical, a
26 tableting machine, an encapsulating machine, a crit-

1 ical part of a tableting machine, or a critical part of
2 an encapsulating machine”; and

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

4 “(60) The term ‘critical part’, when used in reference
5 to a tableting machine or encapsulating machine, means
6 any of the following integral parts when designed pri-
7 marily for use in a tableting or encapsulating machine:

8 “(A) Press punch.

9 “(B) Die system.

10 “(C) Press turret.

11 “(D) Hopper.

12 “(E) Compression roller.

13 “(F) Discharge chute.

14 “(G) Vacuum system.

15 “(H) Capsule feeding unit.

16 “(I) Automatic feeding unit.

17 “(J) Any other item identified in a regulation
18 published by the Attorney General used in the oper-
19 ating of tableting or encapsulating machines.”.

20 **SEC. 3. REGULATED TRANSACTIONS OF CRITICAL PARTS.**

21 (a) RECORD OF REGULATED TRANSACTIONS.—Sec-
22 tion 310 of the Controlled Substances Act (21 U.S.C. 830)
23 is amended—

24 (1) in subsection (a)(1)—

1 (A) by striking “or an encapsulating ma-
2 chine” and inserting “an encapsulating ma-
3 chine, a critical part of a tableting machine, or
4 a critical part of an encapsulating machine”;
5 and

6 (B) by inserting “, in such form and man-
7 ner as the Attorney General shall prescribe by
8 regulation,” after “record of the transaction”;
9 and

10 (2) in paragraph (a)(2), by striking “or encap-
11 sulating machine” and inserting “, encapsulating
12 machine, critical part of a tableting machine, or crit-
13 ical part of an encapsulating machine”.

14 (b) REPORTS TO ATTORNEY GENERAL AND RECORD-
15 KEEPING.—Section 310(b)(1) of the Controlled Sub-
16 stances Act (21 U.S.C. 830) is amended—

17 (1) in subparagraph (A)—

18 (A) by striking “payment or delivery” and
19 inserting “payment or delivery of a listed chem-
20 ical, tableting machine, encapsulating machine,
21 a critical part of a tableting machine, or a crit-
22 ical part of an encapsulating machine”; and

23 (B) by striking “any other circumstance
24 that the regulated person believes may indicate
25 that the listed chemical” and inserting “any

1 other circumstance that the regulated person
2 believes may indicate that the listed chemical,
3 tableting machine, encapsulating machine, crit-
4 ical part of a tableting machine, or critical part
5 of an encapsulating machine”;

6 (2) in subparagraph (C), by striking “listed
7 chemical” and inserting “listed chemical, tableting
8 machine, encapsulating machine, critical part of a
9 tableting machine, or critical part of an encap-
10 sulating machine”; and

11 (3) in subparagraph (D), by striking “or an en-
12 capsulating machine” and inserting “, an encap-
13 sulating machine, critical part of a tableting ma-
14 chine, or critical part of an encapsulating machine”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall apply beginning on the date that is 120
17 days after the date of enactment of this Act, except that
18 the Attorney General may, by order published in the Fed-
19 eral Register, postpone such date of application for such
20 period as the Attorney General may determine to be nec-
21 essary for the efficient administration of the Controlled
22 Substances Act (21 U.S.C. 801 et seq.).

1 **SEC. 4. SERIALIZATION OF CERTAIN MACHINES AND**
2 **PARTS.**

3 The Controlled Substances Act (21 U.S.C. 801 et
4 seq.) is amended by inserting after section 310 (21 U.S.C.
5 830) the following:

6 **“SEC. 310A SERIALIZATION OF CERTAIN MACHINES AND**
7 **PARTS.**

8 “(a) SERIAL NUMBER.—Each manufacturer, dis-
9 tributor, importer, or exporter of a tableting machine, en-
10 capsulating machine, a critical part of a tableting ma-
11 chine, or a critical part of an encapsulating machine shall,
12 when and as required by regulation of the Attorney Gen-
13 eral, identify the tableting machine, encapsulating ma-
14 chine, critical part of a tableting machine, or critical part
15 of an encapsulating machine by a serial number which
16 shall be engraved, cast, or otherwise permanently affixed
17 to a non-removable part of the tableting machine, encap-
18 sulating machine, critical part of a tableting machine, or
19 critical part of an encapsulating machine in accordance
20 with such regulations.

21 “(b) REPORTING.—Any regulated person who manu-
22 factures, distributes, receives, sells, imports, or exports a
23 tableting machine, encapsulating machine, critical part of
24 a tableting machine, or critical part of an encapsulating
25 machine that is subject to the serialization requirement
26 set forth in subsection (a), shall report the transaction to

1 the Attorney General and maintain records of such trans-
2 action, in such form and manner as the Attorney General
3 shall prescribe by regulation.”.

4 **SEC. 5. REGISTRATION OF CERTAIN MACHINES AND PARTS.**

5 The Controlled Substances Act (21 U.S.C. 801 et
6 seq.), as amended by section 4, is further amended by in-
7 serting after section 310A the following:

8 **“SEC. 310B. REGISTRATION OF CERTAIN MACHINES AND**
9 **PARTS.**

10 “(a) REGISTRATION OF CERTAIN MACHINES AND
11 PARTS.—Each manufacturer, distributor, importer, or ex-
12 porter of a tableting machine, encapsulating machine, crit-
13 ical part of a tableting machine, or critical part of an en-
14 capsulating machine shall, when and as required by regu-
15 lation of the Attorney General, register the tableting ma-
16 chine, encapsulating machine, critical part of a tableting
17 machine, or critical part of an encapsulating machine with
18 the Attorney General in accordance with such regulation.

19 “(b) REPORTING.—Any regulated person who manu-
20 factures, distributes, receives, sells, imports, exports, or
21 destroys a tableting machine, encapsulating machine, crit-
22 ical part of a tableting machine, or critical part of an en-
23 capsulating machine that is required to be registered pur-
24 suant to subsection (a), shall report that act to the Attor-
25 ney General and maintain records of such act as required

1 in section 310, in such form and manner as the Attorney
2 General shall prescribe by regulation.

3 “(c) REGULATIONS.—The Attorney General is au-
4 thorized to promulgate rules and regulations relating to
5 tableting machines and encapsulating machines. The At-
6 torney General shall by regulation establish which
7 tableting machines, encapsulating machines, critical parts
8 of tableting machines, and critical parts of encapsulating
9 machines are subject to the registration and reporting re-
10 quirements of subsections (a) and (b) and the information
11 to be provided pursuant to subsections (a) and (b), which
12 shall include the location of the tableting machine, encap-
13 sulating machine, critical part of a tableting machine, or
14 critical part of an encapsulating machine.

15 “(d) NATIONAL PILL PRESS REGISTRY.—The Attor-
16 ney General shall maintain a central registry of all
17 tableting machines, encapsulating machines, critical parts
18 of a tableting machine, or critical parts of an encap-
19 sulating machine that are subject to the registration re-
20 quirement set forth in subsection (a), which shall be
21 known and referred to as the National Pill Press Registry.

22 “(e) DEFINITIONS.—For the purposes of this section:

23 “(1) MANUFACTURE.—The term ‘manufacture’
24 means the production or assembly of a tableting ma-
25 chine, encapsulating machine, critical part of a

1 tableting machine, or critical part of an encap-
2 sulating machine.

3 “(2) DISTRIBUTE.—The term ‘distribute’
4 means to deliver a tableting machine, encapsulating
5 machine, critical part of a tableting machine, or crit-
6 ical part of an encapsulating machine.

7 “(3) DELIVER.—The term ‘deliver’ means the
8 actual, constructive, or attempted transfer of a
9 tableting machine, encapsulating machine, critical
10 part of a tableting machine, or critical part of an en-
11 capsulating machine, whether or not there exists an
12 agency relationship.

13 “(4) DESTROY.—The term ‘destroy’ means to
14 cause such serious damage to a tableting machine,
15 encapsulating machine, critical part of a tableting
16 machine, or critical part of an encapsulating ma-
17 chine so that it can no longer be used for its in-
18 tended purpose.”.

19 **SEC. 6. REGISTRATION OF MANUFACTURERS, IMPORTERS,**
20 **EXPORTERS, AND DEALERS OF TABLETING**
21 **MACHINES, ENCAPSULATING MACHINES, AND**
22 **CRITICAL PARTS.**

23 The Controlled Substances Act (21 U.S.C. 801 et
24 seq.), as amended by sections 4 and 5, is further amended
25 by inserting after section 310B the following:

1 **“SEC. 310C. REGISTRATION OF MANUFACTURERS, IMPORT-**
2 **ERS, EXPORTERS, AND DEALERS OF**
3 **TABLETING MACHINES, ENCAPSULATING MA-**
4 **CHINES, AND CRITICAL PARTS.**

5 “(a) REGISTRATION.—

6 “(1) IN GENERAL.—Every person who manu-
7 factures, imports, exports, or deals, or proposes to
8 engage in the manufacture, importation, exportation,
9 or dealing of any tableting machine, encapsulating
10 machine, critical part of a tableting machine, or crit-
11 ical part of an encapsulating machine, shall obtain,
12 on an annual basis, a registration issued by the At-
13 torney General.

14 “(2) WAIVER.—The Attorney General may, by
15 regulation, waive the requirement for registration of
16 certain manufacturers, importers, exporters, and dis-
17 tributors of any tableting machine, encapsulating
18 machine, critical part of a tableting machine, or crit-
19 ical part of an encapsulating machine if the Attor-
20 ney General finds that issuing such a waiver would
21 be consistent with public health and safety.

22 “(3) SEPARATE REGISTRATIONS REQUIRED.—A
23 separate registration shall be required for each prin-
24 cipal place of business where the applicant manufac-
25 tures, imports, exports, or deals a tableting machine,
26 encapsulating machine, critical part of a tableting

1 machine, or critical part of an encapsulating ma-
2 chine.

3 “(4) TERMINATION.—

4 “(A) IN GENERAL.—A registration to man-
5 ufacture, import, export, or deal a tableting ma-
6 chine, encapsulating machine, critical part of a
7 tableting machine, or critical part of an encap-
8 sulating machine terminates if and when such
9 registrant—

10 “(i) ceases legal existence;

11 “(ii) ceases to engage in the manufac-
12 ture, importation, exportation, or dealing
13 of such a machine or critical part thereof;
14 or

15 “(iii) surrenders such registration.

16 “(B) NOTIFICATION.—In the case of such
17 a registrant who ceases legal existence or ceases
18 to engage in the manufacture, importation, ex-
19 portation, or dealing, such registrant, or agent
20 or successor in interest of such registrant, shall
21 promptly notify the Attorney General in writing
22 of such fact.

23 “(5) RE-ASSIGNMENT.—A registration to manu-
24 facture, import, export, or deal a tableting machine,
25 encapsulating machine, critical part of a tableting

1 machine, or critical part of an encapsulating ma-
2 chine may only be assigned to another entity with
3 the written consent of, and upon such conditions as,
4 the Attorney General may specify.

5 “(b) REGISTRATION CONSIDERATIONS.—The Attor-
6 ney General shall register an applicant to manufacture,
7 import, export, or deal a tableting machine, encapsulating
8 machine, critical part of a tableting machine, or critical
9 part of an encapsulating machine, unless the Attorney
10 General determines that registration of the applicant is
11 inconsistent with the public interest.

12 “(c) CONSIDERATIONS.—In determining the public
13 interest for the purposes of subsection (b), the Attorney
14 General shall consider—

15 “(1) development and maintenance of effective
16 controls against diversion of tableting machines, en-
17 capsulating machines, and critical parts thereof into
18 other than legitimate channels;

19 “(2) compliance with applicable Federal, State,
20 and local law;

21 “(3) prior conviction record of the applicant;

22 “(4) past experience in the manufacture, im-
23 port, export, and dealing of tableting machines, en-
24 capsulating machines, or critical parts thereof; and

1 “(5) such other factors as may be relevant to
2 and consistent with the public health and safety.

3 “(d) AUTHORIZED ACTIVITIES.—No person may
4 manufacture, import, export, or deal any tableting ma-
5 chine, encapsulating machine, critical part of a tableting
6 machine, or critical part of an encapsulating machine un-
7 less such person has an active registration to do so issued
8 by the Attorney General, unless—

9 “(1) such person is an agent or employee of any
10 registrant acting in the usual course of his business
11 or employment; or

12 “(2) a common or contract carrier or ware-
13 houseman, or an employee thereof, whose possession
14 of the tableting machine, encapsulating machine, or
15 critical part thereof is in the lawful and usual course
16 of his business or employment.

17 “(e) INSPECTION.—The Attorney General is author-
18 ized to inspect the establishment of a registrant or appli-
19 cant for registration in accordance with the rules and reg-
20 ulations promulgated by the Attorney General.

21 “(f) DENIAL, REVOCATION, OR SUSPENSION OF REG-
22 ISTRATION.—

23 “(1) SUSPENSION OR REVOCATION.—A reg-
24 istration pursuant to subsection (b) of this section to
25 manufacture, import, export, or deal a tableting ma-

chine, encapsulating machine, critical part of a
tableting machine, or critical part of an encap-
sulating machine may be suspended or revoked by
the Attorney General upon a finding that the reg-
istrant—

“(A) has materially falsified any applica-
tion filed pursuant to or required by this sub-
chapter or subchapter II;

“(B) has been convicted in any court of an
offense involving a tableting machine, encap-
sulating machine, a critical part of a tableting
machine, or a critical part of an encapsulating
machine; or

“(C) has committed such acts as would
render his registration inconsistent with the
public interest.

“(2) ORDER.—

“(A) IN GENERAL.—Before suspending or
revoking a registration to manufacture, import,
export, or deal tableting machines, encap-
sulating machines, critical parts of tableting
machines, or critical parts of encapsulating ma-
chines, or pursuant to a denial of registration,
the Attorney General shall serve upon the appli-
cant or registrant an order to show cause why

1 registration should not be denied, revoked, or
2 suspended.

3 “(B) CONTENTS.—An order to show cause
4 shall contain a statement of the basis for the
5 denial, revocation, or suspension, including spe-
6 cific citations to any laws or regulations alleged
7 to be violated by the applicant or registrant, di-
8 rect the applicant or registrant to appear before
9 the Attorney General at a time and place stated
10 in the order, and notify the applicant or reg-
11 istrant of the opportunity to submit a corrective
12 action plan on or before the date of appearance.

13 “(C) CORRECTIVE ACTION PLAN RE-
14 VIEW.—Upon review of any corrective action
15 plan submitted by an applicant or registrant
16 pursuant to subparagraph (B), the Attorney
17 General shall determine whether denial, revoca-
18 tion, or suspension proceedings should be dis-
19 continued, or deferred for the purposes of modi-
20 fication, amendment, or clarification to such
21 plan.

22 “(D) APPLICABLE LAW.—Proceedings to
23 deny, revoke, or suspend shall be conducted in
24 accordance with subchapter II of chapter 5 of
25 title 5. Such proceedings shall be independent

1 of, and not in lieu of, criminal prosecutions or
2 other proceedings under this subchapter or any
3 other law of the United States.

4 “(E) RELATIONSHIP TO IMMEDIATE SUS-
5 PENSION ORDER.—The requirements of this
6 subsection shall not apply to the issuance of an
7 immediate suspension order under paragraph
8 (3).

9 “(3) SUSPENSION OF REGISTRATION IN CASES
10 OF IMMINENT DANGER.—

11 “(A) IN GENERAL.—The Attorney General
12 may, in the discretion of the Attorney General,
13 suspend any registration simultaneously with
14 the institution of proceedings under this sec-
15 tion, in cases where he finds that there is an
16 imminent danger to the public health or safety.
17 A suspension under this subsection shall con-
18 tinue in effect until the conclusion of such pro-
19 ceedings, including judicial review thereof, un-
20 less sooner withdrawn by the Attorney General
21 or dissolved by a court of competent jurisdic-
22 tion.

23 “(B) IMMINENT DANGER TO THE PUBLIC
24 SAFETY DEFINED.—In this subsection, the
25 phrase ‘imminent danger to the public health or

1 safety' means that, due to the failure of the
2 registrant to maintain effective controls against
3 diversion or otherwise comply with the obliga-
4 tions of a registrant under this Act, there is a
5 substantial likelihood that a tableting machine,
6 encapsulating machine, critical part of a
7 tableting machine, or critical part of an encap-
8 sulating machine will be used in the illicit man-
9 ufacture of controlled substances and cause
10 death, serious bodily harm, or abuse of a con-
11 trolled substance in the absence of an imme-
12 diate suspension of the registration.

13 “(g) DISPOSITION OF TABLETING MACHINES, EN-
14 CAPSULATING MACHINES, AND CRITICAL PART.—

15 “(1) IN GENERAL.—Upon termination, suspen-
16 sion, or revocation of registration of a registrant, the
17 former registrant may, within 30 days or such addi-
18 tional period designated by the Attorney General for
19 good cause, liquidate any remaining tableting ma-
20 chines, encapsulating machines, critical parts of
21 tableting machines, or critical parts of encapsulating
22 machines by lawfully selling, transferring, or other-
23 wise disposing of the tableting machines, encap-
24 sulating machines, critical parts of a tableting ma-
25 chines, or critical parts of encapsulating machines to

1 a registered manufacturer, importer, exporter, or
2 dealer of tableting machines, encapsulating ma-
3 chines, critical parts of tableting machines, or crit-
4 ical parts of encapsulating machines.

5 “(2) EXCEPTION.—Except for the liquidation of
6 remaining inventory to a registrant within 30 days
7 (or approved period) in accordance with paragraph
8 (1), a former registrant may no longer deal tableting
9 machines, encapsulating machines, critical parts of
10 tableting machines, or critical parts of encapsulating
11 machines.

12 “(h) RECORDS AND REPORTS.—

13 “(1) Every registrant shall maintain, on a cur-
14 rent basis, a complete and accurate record of each
15 tableting machine, encapsulating machine, critical
16 part of a tableting machine, or critical part of an en-
17 capsulating machine possessed, manufactured, re-
18 ceived, imported, exported, sold, distributed, deliv-
19 ered, or destroyed, with such information, and in
20 such form and manner as the Attorney General may
21 by regulations require.

22 “(2) Every registrant shall, at such time or
23 times, with such information, and in such form and
24 manner as the Attorney General may by regulations

1 require, make periodic reports to the Attorney Gen-
2 eral.

3 “(3) Every record required under this section
4 shall be kept and be readily retrievable, for at least
5 10 years, for inspection and copying by officers or
6 employees of the United States authorized by the
7 Attorney General.

8 “(i) REGULATIONS AND FEES.—The Attorney Gen-
9 eral is authorized to promulgate rules and regulations and
10 charge reasonable fees relating to the registration and con-
11 trol of the manufacture, importation, exportation, and
12 dealing of tableting machines, encapsulating machines,
13 critical parts of tableting machines, and critical parts of
14 encapsulating machines. The Attorney General shall by
15 regulation establish which tableting machines, encap-
16 sulating machines, critical parts of tableting machines,
17 and critical parts of encapsulating machines are subject
18 to the registration, recordkeeping, and reporting require-
19 ments under this section, and the form, manner, and in-
20 formation to be maintained and furnished under such re-
21 quirements.

22 “(j) DEFINITIONS.—For the purposes of this section:

23 “(1) DEAL.—The term ‘deal’ means to engage
24 in the business of selling or distributing tableting
25 machines, encapsulating machines, critical parts of

1 tableting machines, or critical parts of encapsulating
2 machines at wholesale or retail.

3 “(2) DELIVERY, DISTRIBUTE, DESTROY, MANU-
4 FACTURE.—The terms ‘deliver’, ‘distribute’, ‘de-
5 stroy’, and ‘manufacture’ have the meanings given
6 such terms in section 310B.

7 “(3) ENGAGED IN THE BUSINESS.—The term
8 ‘engaged in the business’ means devoting time, at-
9 tention, and labor to dealing tableting machines, en-
10 capsulating machines, critical parts of tableting ma-
11 chines, or critical parts of an encapsulating machine
12 as a regular trade or business to predominantly earn
13 a profit through the repetitive purchase and resale.

14 “(k) EFFECTIVE DATE.—This section shall apply be-
15 ginning 120 days after the date of enactment of this sec-
16 tion, except that the Attorney General may by order pub-
17 lished in the Federal Register postpone the effective date
18 of this section for such period as the Attorney General
19 may determine to be necessary for the efficient adminis-
20 tration of this Act.”.

21 **SEC. 7. OFFENSES; PENALTIES.**

22 (a) SERIAL NUMBERS.—

23 (1) PROHIBITED ACTS B—PENALTIES.—Section
24 402(a) of the Controlled Substances Act (21 U.S.C.
25 842(a)) is amended—

1 (A) in paragraph (16), by striking “or” at
2 the end;

3 (B) in paragraph (17), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (C) by inserting after paragraph (17) the
6 following:

7 “(18) to violate subsection (a) of section 310A;

8 “(19) to refuse or negligently fail to make a re-
9 port under subsection (b) of section 310A;”.

10 (2) PROHIBITED ACTS C—PENALTIES.—Section
11 403 of the Controlled Substances Act (21 U.S.C.
12 843) is amended—

13 (A) in subsection (a), in each of para-
14 graphs (6) and (7), by inserting “critical part
15 of a tableting machine, critical part of an en-
16 capsulating machine,” after “encapsulating ma-
17 chine,”; and

18 (B) by adding at the end the following:

19 “(g) It shall be unlawful to—

20 “(1) intentionally remove, alter, or obliterate
21 any serial number affixed to any tableting machine,
22 encapsulating machine, critical part of a tableting
23 machine, or critical part of an encapsulating ma-
24 chine that is required to have a serial number pursu-
25 ant to subsection (a) of section 310A, if the person

1 removing, altering, or obliterating such serial num-
2 ber knows or has reasonable cause to believe the se-
3 rial number is so required;

4 “(2) transport, ship, receive, or possess any
5 tableting machine, encapsulating machine, critical
6 part of a tableting machine, or critical part of an en-
7 capsulating machine that is required to have a serial
8 number pursuant to subsection (a) of section 310A,
9 if the person transporting, shipping, receiving, or
10 possessing such a machine or critical part thereof
11 knows that the serial number has been removed, ob-
12 literated, or altered, and has reasonable cause to be-
13 lieve the serial number is required pursuant to sub-
14 section (a) of section 310A; or

15 “(3) possess a tableting machine or an encap-
16 sulating machine that is required to have a serial
17 number pursuant to subsection (a) of section 310A,
18 if the person in possession of such machine knows
19 that the machine does not have a serial number, and
20 has reasonable cause to believe the serial number is
21 required pursuant to subsection (a) of section 310A.

22 “(h) In a prosecution for an offense under subsection
23 (g)(3), it is an affirmative defense, as to which the defend-
24 ant has the burden of proof by a preponderance of the
25 evidence, that the person possessed the tableting machine

1 or encapsulating machine on the day before the effective
2 date of this subsection and, not later than 180 days after
3 that date, or for such additional period designated by the
4 Attorney General for good cause, the person—

5 “(1) sold or otherwise transferred the tableting
6 machine or encapsulating machine to a manufac-
7 turer, importer, exporter, or dealer of tableting ma-
8 chines or encapsulating machines that is registered
9 under section 310C(a);

10 “(2) had a serial number engraved, cast, or oth-
11 erwise affixed to a non-removable part of the
12 tableting machine or encapsulating machine by a
13 manufacturer, importer, exporter, or dealer of
14 tableting machines or encapsulating machines that is
15 registered under section 310C(a); or

16 “(3) destroyed the tableting machine or encap-
17 sulating machine.

18 “(i) For purposes of this subsection, the term ‘de-
19 stroy’ has the meaning given such term in section 310B.

20 “(j) Subsection (g) does not apply to a manufacturer,
21 importer, exporter, or dealer of tableting machines or en-
22 capsulating machines that is registered under section
23 310C(a)(1) or exempt from registration pursuant to sec-
24 tion 310C(a)(2). Subsection (g) shall become effective 2
25 years after the date of enactment, except that the Attor-

1 ney General may by order published in the Federal Reg-
2 ister postpone the effective date of subsection (g) for such
3 period as he may determine to be necessary for the effi-
4 cient administration of this Act.”.

5 (b) REGISTRATION OF CERTAIN MACHINES AND
6 PARTS.—Section 402(a) of the Controlled Substances Act
7 (21 U.S.C. 842(a)), as amended by subsection (a), is fur-
8 ther amended by inserting after paragraph (19) the fol-
9 lowing:

10 “(20) to violate subsection (a) or (b) of section
11 310B; or”.

12 (c) REGISTRATION OF MANUFACTURERS, IMPORT-
13 ERS, EXPORTERS, AND DEALERS.—Section 402(a) of the
14 Controlled Substances Act (21 U.S.C. 842(a)), as amend-
15 ed by subsections (a) and (b), is further amended by in-
16 serting after paragraph (20) the following:

17 “(21) to manufacture, import, export, or deal a
18 tableting machine, encapsulating machine, critical
19 part of a tableting machine, or critical part of an en-
20 capsulating machine without a registration required
21 by section 310C, except as specified in subsection
22 (g)(1) of such section.”.

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