

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.

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## 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

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## 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-

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

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

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

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

17 “(2) ORDER.—

18 “(A) IN GENERAL.—Before suspending or  
19 revoking a registration to manufacture, import,  
20 export, or deal tableting machines, encap-  
21 sulating machines, critical parts of tableting  
22 machines, or critical parts of encapsulating ma-  
23 chines, or pursuant to a denial of registration,  
24 the Attorney General shall serve upon the appli-  
25 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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