

§ 1338. Criminal penalty

Any person who violates the provisions of this chapter shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine of not more than \$10,000.

(Pub. L. 89-92, §10, formerly §9, July 27, 1965, 79 Stat. 284; Pub. L. 91-222, §2, Apr. 1, 1970, 84 Stat. 89; renumbered §10, Pub. L. 98-474, §5(a), Oct. 12, 1984, 98 Stat. 2203.)

PRIOR PROVISIONS

A prior section 10 of Pub. L. 89-92 was renumbered section 11 and is classified to section 1339 of this title.

AMENDMENTS

1970—Pub. L. 91-222 substituted provisions that violators shall be guilty of a misdemeanor and subject to fine, for provision that if any part of this chapter be held invalid, other provisions thereof shall not be affected. See Separability note set out under section 1331 of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-222 effective Jan. 1, 1970, except where otherwise specified, see section 3 of Pub. L. 91-222, set out in part as a note under section 1331 of this title.

§ 1339. Injunction proceedings

The several district courts of the United States are invested with jurisdiction, for cause shown, to prevent and restrain violations of this chapter upon the application of the Attorney General of the United States acting through the several United States attorneys in their several districts.

(Pub. L. 89-92, §11, formerly §10, July 27, 1965, 79 Stat. 284; Pub. L. 91-222, §2, Apr. 1, 1970, 84 Stat. 89; renumbered §11, Pub. L. 98-474, §5(a), Oct. 12, 1984, 98 Stat. 2203.)

PRIOR PROVISIONS

Two prior sections 11 of Pub. L. 89-92 were renumbered section 12 by section 5(a) of Pub. L. 98-474 and are classified to section 1340 of this title and as an Effective Date note under section 1331 of this title.

AMENDMENTS

1970—Pub. L. 91-222 substituted provision that the several district courts are invested with jurisdiction in injunction proceedings, for provisions that regulation of advertising terminate on July 1, 1969, but that such termination shall not be construed as limiting, expanding or otherwise affecting such jurisdiction which Federal Trade Commission or other federal agencies had prior to July 27, 1965.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-222 effective Jan. 1, 1970, except where otherwise specified, see section 3 of Pub. L. 91-222, set out in part as a note under section 1331 of this title.

§ 1340. Cigarettes for export

Packages of cigarettes manufactured, imported, or packaged (1) for export from the United States or (2) for delivery to a vessel or aircraft, as supplies, for consumption beyond the jurisdiction of the internal revenue laws of the United States shall be exempt from the requirements of this chapter, but such exemptions shall not apply to cigarettes manufactured, im-

ported, or packaged for sale or distribution to members or units of the Armed Forces of the United States located outside of the United States.

(Pub. L. 89-92, §12, formerly §11, as added Pub. L. 91-222, §2, Apr. 1, 1970, 84 Stat. 89; renumbered §12, Pub. L. 98-474, §5(a), Oct. 12, 1984, 98 Stat. 2203.)

CODIFICATION

Another section 12 of Pub. L. 89-92, July 27, 1965, 79 Stat. 284, is set out as an Effective Date note under section 1331 of this title.

PRIOR PROVISIONS

A prior section 12 of Pub. L. 89-92 was renumbered section 13 and is set out as a Separability note under section 1331 of this title.

EFFECTIVE DATE

Section effective Jan. 1, 1970, see section 3 of Pub. L. 91-222, set out in part as a note under section 1331 of this title.

§ 1341. Smoking, research, education and information**(a) Establishment of program; Secretary; functions**

The Secretary of Health and Human Services (hereinafter in this section referred to as the “Secretary”) shall establish and carry out a program to inform the public of any dangers to human health presented by cigarette smoking. In carrying out such program, the Secretary shall—

(1) conduct and support research on the effect of cigarette smoking on human health and develop materials for informing the public of such effect;

(2) coordinate all research and educational programs and other activities within the Department of Health and Human Services (hereinafter in this section referred to as the “Department”) which relate to the effect of cigarette smoking on human health and coordinate, through the Interagency Committee on Smoking and Health (established under subsection (b) of this section), such activities with similar activities of other Federal agencies and of private agencies;

(3) establish and maintain a liaison with appropriate private entities, other Federal agencies, and State and local public agencies respecting activities relating to the effect of cigarette smoking on human health;

(4) collect, analyze, and disseminate (through publications, bibliographies, and otherwise) information, studies, and other data relating to the effect of cigarette smoking on human health, and develop standards, criteria, and methodologies for improved information programs related to smoking and health;

(5) compile and make available information on State and local laws relating to the use and consumption of cigarettes; and

(6) undertake any other additional information and research activities which the Secretary determines necessary and appropriate to carry out this section.