

which is classified generally to this subchapter. For complete classification of this Act to the Code, see section 58 of this title and Tables.

CODIFICATION

Section was enacted as part of the Better Online Ticket Sales Act of 2016 or the BOTS Act of 2016, and not as part of the Federal Trade Commission Act which comprises this subchapter.

DEFINITIONS

Pub. L. 114-274, § 3, Dec. 14, 2016, 130 Stat. 1403, provided that: “In this Act [see Short Title of 2016 Amendment note set out under section 58 of this title]:

“(1) COMMISSION.—The term ‘Commission’ means the Federal Trade Commission.

“(2) EVENT.—The term ‘event’ means any concert, theatrical performance, sporting event, show, or similarly scheduled activity, taking place in a venue with a seating or attendance capacity exceeding 200 persons that—

“(A) is open to the general public; and

“(B) is promoted, advertised, or marketed in interstate commerce or for which event tickets are generally sold or distributed in interstate commerce.

“(3) EVENT TICKET.—The term ‘event ticket’ means any physical, electronic, or other form of a certificate, document, voucher, token, or other evidence indicating that the bearer, possessor, or person entitled to possession through purchase or otherwise has—

“(A) a right, privilege, or license to enter an event venue or occupy a particular seat or area in an event venue with respect to one or more events; or

“(B) an entitlement to purchase such a right, privilege, or license with respect to one or more future events.

“(4) TICKET ISSUER.—The term ‘ticket issuer’ means any person who makes event tickets available, directly or indirectly, to the general public, and may include—

“(A) the operator of the venue;

“(B) the sponsor or promoter of an event;

“(C) a sports team participating in an event or a league whose teams are participating in an event;

“(D) a theater company, musical group, or similar participant in an event; and

“(E) an agent for any such person.”

§ 45d. Unfair or deceptive acts or practices with respect to substance use disorder treatment service and products

(a) Unlawful activity

It is unlawful to engage in an unfair or deceptive act or practice with respect to any substance use disorder treatment service or substance use disorder treatment product.

(b) Enforcement by the Federal Trade Commission

(1) Unfair or deceptive acts or practices

A violation of subsection (a) shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices.

(2) Powers of the Federal Trade Commission

(A) In general

The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.)

were incorporated into and made a part of this section.

(B) Privileges and immunities

Any person who violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated and made part of this section.

(c) Authority preserved

Nothing in this subtitle shall be construed to limit the authority of the Federal Trade Commission or the Food and Drug Administration under any other provision of law.

(Pub. L. 115-271, title VIII, § 8023, Oct. 24, 2018, 132 Stat. 4082.)

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in subsec. (b)(2), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, which is classified generally to this subchapter. For complete classification of this Act to the Code, see section 58 of this title and Tables.

This subtitle, referred to in subsec. (c), is subtitle B (§§ 8021-8023) of title VIII of Pub. L. 115-271, Oct. 24, 2018, 132 Stat. 4082, known as the Opioid Addiction Recovery Fraud Prevention Act of 2018, which enacted this section and provisions set out as notes under this section and section 58 of this title.

CODIFICATION

Section was enacted as part of the Opioid Addiction Recovery Fraud Prevention Act of 2018, and also as part of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act, also known as the SUPPORT for Patients and Communities Act, and not as part of the Federal Trade Commission Act which comprises this subchapter.

DEFINITIONS

Pub. L. 115-271, title VIII, § 8022, Oct. 24, 2018, 132 Stat. 4082, provided that: “For purposes of this subtitle [subtitle B (§§ 8021-8023) of title VIII of Pub. L. 115-271, see References in Text note above] only, and not [to] be construed or applied as to challenge or affect the characterization, definition, or treatment under any other statute, regulation, or rule:

“(1) SUBSTANCE USE DISORDER TREATMENT PRODUCT.—The term ‘substance use disorder treatment product’ means a product for use or marketed for use in the treatment, cure, or prevention of a substance use disorder, including an opioid use disorder.

“(2) SUBSTANCE USE DISORDER TREATMENT SERVICE.—The term ‘substance use disorder treatment service’ means a service that purports to provide referrals to treatment, treatment, or recovery housing for people diagnosed with, having, or purporting to have a substance use disorder, including an opioid use disorder.”

§ 46. Additional powers of Commission

The Commission shall also have power—

(a) Investigation of persons, partnerships, or corporations

To gather and compile information concerning, and to investigate from time to time the organization, business, conduct, practices, and management of any person, partnership, or corporation engaged in or whose business affects