

1 AN ACT concerning public health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Food, Drug and Cosmetic Act is
5 amended by adding Section 3.24 as follows:

6 (410 ILCS 620/3.24 new)

7 Sec. 3.24. Sale of energy drinks to minors.

8 (a) The General Assembly finds the following:

9 (1) The effects of energy drinks, when taken in
10 excessive doses, include increased heart rates, anxiety,
11 jitteriness, headache, and fatigue.

12 (2) Children younger than 18 years of age may have a
13 lower tolerance for increased heart rates, anxiety,
14 jitteriness, headache, and fatigue caused by energy drinks
15 than those over the age of 18.

16 (3) Children younger than 18 years of age are more
17 susceptible to the harmful effects of stimulants because
18 their bodies are less developed than adults.

19 (b) For the purpose of this Section, "energy drink" means a
20 beverage that contains the following ingredients:

21 (1) taurine, naturally occurring or synthesized;

22 (2) guarana, including any extract or product of the
23 plant or the seed of the plant;

1 (3) glucuronolactone; and

2 (4) any extract, herb, or tuber of any species of
3 ginseng.

4 (c) It is unlawful in this State for any person to sell,
5 offer for sale, or deliver an energy drink to a person under 18
6 years of age.

7 (d) In addition to any other remedies provided by law, the
8 Director is authorized to file a complaint and apply to the
9 circuit court for, and such court may upon hearing and for
10 cause shown grant, a temporary restraining order or preliminary
11 or permanent injunction restraining any person from violating
12 any provision of this Section.