

S 754

Drug Competition Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Apr 6, 2001

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Nov 22, 2002)

Official Text: https://www.congress.gov/bill/107th-congress/senate-bill/754

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • State: VT • Chamber: Senate

Cosponsors (6 total)

| Cosponsor | Party / State | Role | Date Joined |
|----------------------------------|---------------|------|--------------|
| Sen. Durbin, Richard J. [D-IL] | D · IL | | Apr 6, 2001 |
| Sen. Kohl, Herb [D-WI] | D · WI | | Apr 6, 2001 |
| Sen. Schumer, Charles E. [D-NY] | D · NY | | Apr 6, 2001 |
| Sen. Feingold, Russell D. [D-WI] | D · WI | | May 21, 2001 |
| Sen. Cantwell, Maria [D-WA] | D · WA | | Jul 9, 2001 |
| Sen. Grassley, Chuck [R-IA] | R · IA | | Jun 21, 2002 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|---------|-------------|--------------|
| Energy and Commerce Committee | House | Referred to | Nov 22, 2002 |
| Judiciary Committee | Senate | Reported By | Jun 20, 2002 |
| Judiciary Committee | House | Referred To | Nov 19, 2002 |

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

No related bills are listed.

Drug Competition Act of 2002 - (Sec. 5) Requires a generic drug applicant that has submitted an Abbreviated New Drug Application (ANDA) and a brand name drug company that enter into an agreement, prior to the generic drug entering the market, regarding the manufacture, marketing, or sale of the brand name or the generic drug, or regarding the 180-day semi-exclusivity period referred to in the Federal Food, Drug, and Cosmetic Act as it applies to such ANDA or any other ANDA based on the same brand name drug, to each file such agreement and any related agreements with the Assistant Attorney General and the Federal Trade Commission (FTC). Makes an exception for agreements that solely concern purchase orders for raw material supplies, equipment and facility contracts, or employment or consulting contracts. Requires such agreements to be filed not later than ten business days after the date they are executed.

(Sec. 7) Exempts any such information or documentary material filed from disclosure under the Freedom of Information Act. Prohibits such information or material from being made public, except as relevant to any administrative or judicial action or proceeding.

(Sec. 8) Subjects an applicant or company to a civil penalty of up to \$11,000 for each day such entity fails to comply with this Act, recoverable in a civil action brought by the United States or the FTC. Authorizes a U.S. district court to order compliance and grant equitable relief.

Actions Timeline

- **Nov 22, 2002:** Referred to the Subcommittee on Health.
- **Nov 19, 2002:** Message on Senate action sent to the House.
- **Nov 19, 2002:** Received in the House.
- **Nov 19, 2002:** 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.
- **Nov 19, 2002:** 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.
- **Nov 19, 2002:** 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.
- **Nov 18, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S11339-11342; text of measure as reported in Senate: CR S11339-11340)
- **Nov 18, 2002:** The committee substitute as amended agreed to by Unanimous Consent.
- **Nov 18, 2002:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S11341-11342)
- **Nov 18, 2002:** Passed Senate with an amendment by Unanimous Consent. (text: CR S11341-11342)
- **Jun 20, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. With written report No. 107-167.
- **Jun 20, 2002:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. With written report No. 107-167.
- **Jun 20, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 431.
- **Oct 18, 2001:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 6, 2001:** Introduced in Senate
- **Apr 6, 2001:** Sponsor introductory remarks on measure. (CR S3760-3761)
- **Apr 6, 2001:** Read twice and referred to the Committee on the Judiciary.