

S 946

Drug Competition Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Apr 29, 2003

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Apr 29, 2003)

Official Text: https://www.congress.gov/bill/108th-congress/senate-bill/946

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 29, 2003
Sen. Feingold, Russell D. [D-WI]	D · WI		Apr 29, 2003
Sen. Grassley, Chuck [R-IA]	R · IA		Apr 29, 2003
Sen. Kohl, Herb [D-WI]	D · WI		Apr 29, 2003
Sen. Schumer, Charles E. [D-NY]	D · NY		Apr 29, 2003
Sen. Cantwell, Maria [D-WA]	D · WA		May 6, 2003

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 29, 2003

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

No related bills are listed.

Drug Competition Act of 2003 - Sets filing requirements for a generic drug applicant that has submitted an Abbreviated New Drug Application (ANDA) and a brand name drug company that enter into an agreement, before a drug enters the market, regarding: (1) the manufacture, marketing, or sale of the brand name or the generic drug; or (2) 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. Requires each such party to 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.

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.

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

- **Apr 29, 2003:** Introduced in Senate
- **Apr 29, 2003:** Sponsor introductory remarks on measure. (CR S5493-5494)
- **Apr 29, 2003:** Read twice and referred to the Committee on the Judiciary.