

S 908

Commonsense Consumption Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Law

Introduced: Apr 26, 2005

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4261-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4261-4262) (Apr 26, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/908>

Sponsor

Name: Sen. McConnell, Mitch [R-KY]

Party: Republican • **State:** KY • **Chamber:** Senate

Cosponsors (31 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Pryor, Mark L. [D-AR]	D · AR		Sep 29, 2005
Sen. Hagel, Chuck [R-NE]	R · NE		Oct 6, 2005
Sen. Nelson, Ben [D-NE]	D · NE		Oct 6, 2005
Sen. Johnson, Tim [D-SD]	D · SD		Nov 2, 2005
Sen. Graham, Lindsey [R-SC]	R · SC		Nov 17, 2005
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Dec 13, 2005
Sen. Isakson, Johnny [R-GA]	R · GA		Dec 19, 2005
Sen. Chambliss, Saxby [R-GA]	R · GA		Jan 25, 2006
Sen. Burr, Richard [R-NC]	R · NC		Feb 2, 2006
Sen. Ensign, John [R-NV]	R · NV		Feb 7, 2006
Sen. DeMint, Jim [R-SC]	R · SC		Feb 9, 2006
Sen. Salazar, Ken [D-CO]	D · CO		Mar 2, 2006
Sen. Baucus, Max [D-MT]	D · MT		Apr 4, 2006
Sen. Crapo, Mike [R-ID]	R · ID		Apr 4, 2006
Sen. Lugar, Richard G. [R-IN]	R · IN		Apr 7, 2006
Sen. Inhofe, James M. [R-OK]	R · OK		Apr 25, 2006
Sen. Allard, Wayne [R-CO]	R · CO		Apr 26, 2006
Sen. Vitter, David [R-LA]	R · LA		Apr 27, 2006
Sen. Talent, Jim [R-MO]	R · MO		May 12, 2006
Sen. Alexander, Lamar [R-TN]	R · TN		Sep 12, 2006
Sen. Bunning, Jim [R-KY]	R · KY		Sep 12, 2006
Sen. Cochran, Thad [R-MS]	R · MS		Sep 12, 2006
Sen. Cornyn, John [R-TX]	R · TX		Sep 12, 2006
Sen. Grassley, Chuck [R-IA]	R · IA		Sep 12, 2006
Sen. Hatch, Orrin G. [R-UT]	R · UT		Sep 12, 2006
Sen. Santorum, Rick [R-PA]	R · PA		Sep 12, 2006
Sen. Craig, Larry E. [R-ID]	R · ID		Sep 25, 2006
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Sep 25, 2006
Sen. Roberts, Pat [R-KS]	R · KS		Sep 25, 2006
Sen. Dole, Elizabeth [R-NC]	R · NC		Sep 28, 2006
Sen. Thune, John [R-SD]	R · SD		Nov 14, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Apr 26, 2005

Subjects & Policy Tags

Policy Area:

Law

Related Bills

Bill	Relationship	Last Action
109 HR 554	Related bill	Oct 21, 2005: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 254.

Summary (as of Apr 26, 2005)

Commonsense Consumption Act of 2005 - Prohibits new and dismisses pending civil actions by any person against a manufacturer, marketer, distributor, advertiser, or seller of food or a trade association for any injury related to a person's accumulated acts of consumption of food and weight gain, obesity, or any associated health condition, excluding actions alleging: (1) a breach of express contract or express warranty provided that the grounds of recovery are unrelated to a person's weight gain, obesity, or related health condition; (2) a knowing violation of a federal or state statute applicable to the marketing, advertisement, or labeling of food with intent for a person to rely on that violation, where such person relied on that violation, and where such reliance was the proximate cause of injury related to that person's weight gain, obesity, or related health condition; or (3) a violation brought by the Federal Trade Commission (FTC) under the Federal Trade Commission Act or by the Food and Drug Administration (FDA) under the Federal Food, Drug, and Cosmetic Act.

Requires in any excluded action: (1) a stay of discovery during the pendency of any motion to dismiss, unless necessary to preserve evidence or to prevent undue prejudice; and (2) evidence preservation during the stay. Requires the complaint in such an action to plead with particularity: (1) each element of the cause of action; (2) the Federal and State statutes that were allegedly violated; (3) the specific facts alleged to constitute the violation of law; and (4) the specific facts that are alleged to have caused the claimed injury.

Actions Timeline

- **Apr 26, 2005:** Introduced in Senate
- **Apr 26, 2005:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S4261-4262)