

110TH CONGRESS
2D SESSION

S. 3151

To amend the Federal Food, Drug, and Cosmetic Act with respect to priority review vouchers.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2008

Mr. BROWN (for himself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Federal Food, Drug, and Cosmetic Act with respect to priority review vouchers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS REGARDING PRIORITY REVIEW**

4 **VOUCHERS.**

5 Section 524(b) of the Federal Food, Drug, and Cos-
6 metic Act (21 U.S.C. 360n(b)) is amended—

7 (1) by amending paragraph (2) to read as fol-
8 lows:

9 “(2) **TRANSFERABILITY.**—Priority review
10 vouchers shall be transferrable (including by sale).

1 Entities eligible to participate in such transfers in-
2 clude sponsors of a human drug application under
3 section 505(b)(1) or section 351 of the Public
4 Health Service Act.”; and

5 (2) in paragraph (3), by adding at the end the
6 following:

7 “(C) NO EFFECT ON PENDING REVIEW.—
8 A priority review voucher may not be redeemed
9 to affect the review of a pending human drug
10 application under section 505(b)(1) or section
11 351 of the Public Health Service Act.”.

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