

108TH CONGRESS
2D SESSION

H. R. 4013

To amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of any drug that infringes the right to life, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 2004

Mr. GINGREY introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to prohibit the approval of any drug that infringes the right to life, and for other purposes.

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. FEDERAL FOOD, DRUG, AND COSMETIC ACT;**
4 **PROHIBITION AGAINST APPROVAL OF DRUG**
5 **INFRINGING RIGHT TO LIFE.**

6 Section 505 of the Federal Food, Drug, and Cosmetic
7 Act (21 U.S.C. 355) is amended by adding at the end the
8 following subsection:

9 “(o)(1) Notwithstanding any other provision of this
10 section, the Secretary may not approve an application

1 under subsection (b) or (j) for a drug whose intended use
2 would infringe the right to life. Drugs whose approval is
3 prohibited under the preceding sentence include a drug in-
4 tended to assist with the act of suicide and a drug in-
5 tended to induce an abortion.

6 “(2) Effective upon the expiration of 30 days after
7 the effective date of this subsection—

8 “(A) the approved application under subsection
9 (b) or (j) of any drug whose intended use infringes
10 the right to life within the meaning of paragraph (1)
11 is deemed to have been withdrawn under subsection
12 (e) or (j)(6), respectively; and

13 “(B) a drug to which subparagraph (A) applies
14 shall be considered adulterated for purposes of sec-
15 tion 301.”.

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