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HOUSE BILL 2999

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State of Washington                      58th Legislature                      2004 Regular Session

By Representatives McMahan, Carrell, Newhouse, Benson, Boldt, Schindler, Holmquist, Kristiansen, Roach, Cairnes, Woods and Condotta

Read first time 01/26/2004. Referred to Committee on Judiciary.

1            AN ACT Relating to civil liability reform; and adding a new section  
2 to chapter 7.70 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 7.70 RCW  
5 to read as follows:

6            In a products liability action alleging that an injury was caused  
7 by a failure to provide adequate warnings or information with regard to  
8 a pharmaceutical product, the defendant or defendants shall not be  
9 liable with respect to such allegations if the warnings or information  
10 that accompanied the product in its distribution were those required by  
11 the United States food and drug administration for a product approved  
12 pursuant to the federal food, drug, and cosmetic act (21 U.S.C. Sec.  
13 321, et seq.) or section 351 of the public health service act (42  
14 U.S.C. Sec. 262), or the warnings provided were those set forth in  
15 monographs developed by the United States food and drug administration  
16 for pharmaceutical products that may be distributed without an approved  
17 new drug application.

1        NEW SECTION.   **Sec. 2.**   If any provision of this act or its  
2 application to any person or circumstance is held invalid, the  
3 remainder of the act or the application of the provision to other  
4 persons or circumstances is not affected.

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