

113TH CONGRESS  
1ST SESSION

# H. R. 3715

To reduce prescription drug costs by allowing the importation and  
reimportation of certain drugs.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2013

Mr. ELLISON (for himself and Mr. ROHRABACHER) introduced the following  
bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To reduce prescription drug costs by allowing the importation  
and reimportation of certain drugs.

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. SHORT TITLE.**

4       This Act may be cited as the “Personal Drug Impor-  
5       tation Fairness Act of 2013”.

6       **SEC. 2. REDUCING PRESCRIPTION DRUG COSTS BY ALLOW-**  
7                       **ING CERTAIN DRUGS TO BE IMPORTED OR**  
8                       **REIMPORTED.**

9       (a) IN GENERAL.—Notwithstanding any provision of  
10      the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301

1 et seq.), a drug may be imported into the United States,  
2 and may be reimported into the United States by a person  
3 other than the drug’s manufacturer, if the drug—

4 (1) has the same active ingredients, route of ad-  
5 ministration, and strength as a prescription drug ap-  
6 proved under chapter V of such Act (21 U.S.C. 351  
7 et seq.);

8 (2) may be lawfully marketed in, and is im-  
9 ported or reimported from, a qualified country;

10 (3) is dispensed by a licensed pharmacist;

11 (4) is shipped directly to, or is imported by, the  
12 ultimate consumer from the qualified country;

13 (5) is shipped or imported in quantities that do  
14 not exceed a 90-day supply; and

15 (6) is accompanied by a copy of a valid pre-  
16 scription.

17 (b) DEFINITIONS.—In this Act:

18 (1) The term “drug” has the meaning given to  
19 such term in section 201 of the Federal Food, Drug,  
20 and Cosmetic Act (21 U.S.C. 321), except that such  
21 term excludes any controlled substance (as defined  
22 in section 102 of the Controlled Substances Act (21  
23 U.S.C. 802)).

1           (2) The term “prescription drug” means a drug  
2           subject to section 503(b)(1) of the Federal Food,  
3           Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)).

4           (3) The term “qualified country” means a  
5           country that—

6                   (A) is Australia, Canada, Israel, Japan,  
7                   New Zealand, Switzerland, South Africa, a  
8                   member-state of the European Union, or a  
9                   country in the European Economic Area; and

10                   (B) is determined by the Commissioner of  
11                   Food and Drugs to have standards for ensuring  
12                   the safety and effectiveness of drugs that are at  
13                   least as protective as such standards in the  
14                   United States.

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