Klobuchar, Grassley Introduce Bipartisan Bills to Reduce Drug Prices by Promoting Competition and Taking on Big Pharma

March 26, 2025

Bills take on Big Pharma's abuses of "pay-for-delay" deals and FDA petitions

WASHINGTON – U.S. Senators Amy Klobuchar (D-MN) and Chuck Grassley (R-IA), Chairman of the Senate Judiciary Committee, introduced the *Preserve Access to Affordable Generics and Biosimilars Act* and the *Stop Significant and Time-wasting Abuse Limiting Legitimate Innovation of New Generics (Stop STALLING) Act,* two bipartisan bills to reduce drug prices by promoting competition and taking on Big Pharma's abuses of deals with competitors and Food and Drug Administration (FDA) petitions. Both bills were passed by the Senate Judiciary Committee in 2023.

"Prescription drug prices are too high—driven up by excessive consolidation in the pharmaceutical industry and abusive business tactics that keep more affordable medications off the market and out of reach for far too many Americans," said Klobuchar. **"Our bipartisan legislation would deter anticompetitive deals and sham petitions that prevent generic drugs from entering the market and prevent Americans from accessing affordable, life-saving drugs."**

"The shady efforts of some drug companies to block competition and keep drug costs high are greedy and wrong. Across the country, consumers are suffering because of it. Our bipartisan bills will help tackle these abuses and make prescription drugs more affordable for Americans. I encourage my colleagues to support these commonsense bills," said Grassley.

The *Preserve Access to Affordable Generics and Biosimilars Act* would limit anticompetitive "pay-for-delay" deals that prevent or delay the introduction of affordable generic drugs that are, on average, 80 percent cheaper than their branded counterparts. Pay-for-delay deals happen when branded pharmaceutical drug companies pay generic manufacturers to delay the

Accord BioPharma, Inc.
Exhibit 1109
Accord v. Janssen
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Ex. 1109-001

introduction of cheaper substitutes – increasing the cost of prescriptions and imposing significant costs on our health care system, saving an estimated $1.5 billion over ten years. The legislation covers pay-for-delay deals affecting biosimilar and interchangeable biologics in addition to generic drugs. The *Preserving Access to Affordable Generics and Biosimilars Act* is cosponsored by Senators Durbin, Cramer, Blumenthal, Ernst, Booker, Welch, and Kelly.

The *Stop Significant and Time-wasting Abuse Limiting Legitimate Innovation of New Generics* (*Stop STALLING) Act* would deter branded pharmaceutical companies from filing sham "citizen petitions" with the FDA in order to interfere with the approval of generic and biosimilar medicines that compete with their own brand products, a tactic that delays patient access to affordable medications. The bill would also give the Federal Trade Commission (FTC) enhanced authority to take action against those who file sham petitions. The *STOP STALLING Act* is cosponsored by Senators Durbin, Cruz, Blumenthal, Booker, and Welch.

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