

Substitute for the Hochberg amendment (beginning on page 192, amendment packet) the following:

Amend **CSHB 4** as follows:

(1) On page 40, line 15, between "MEDICINES." and "In", insert " (a) ".

(2) On page 41, between lines 3 and 4, insert:

(b) This section does not apply if the manufacturer, before or after premarket approval or licensing of the product, withheld from or misrepresented to the Food and Drug Administration required information that was material and relevant to the performance of the product and was causally related to the claimant's injury.