

**SSB 6601** - H AMD TO JUDI COMM AMD (6601-S AMH JUDI SHIR 007)  
By Representative Flannigan

1 On page 1, beginning on line 3 of the amendment, strike all  
2 material through "act." on line 20 and insert the following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 7.72  
4 RCW to read as follows:

5 (1) Any manufacturer, packer, distributor, carrier, holder,  
6 marketer, or seller of a food or nonalcoholic beverage intended for  
7 human consumption, or an association of one or more such entities,  
8 shall not be subject to civil liability in an action brought by a  
9 private party based on an individual's purchase or consumption of  
10 food or nonalcoholic beverages in cases where liability is premised  
11 upon the individual's weight gain, obesity, or a health condition  
12 associated with the individual's weight gain or obesity and  
13 resulting from the individual's long-term purchase or consumption  
14 of a food or nonalcoholic beverage.

15 (2) For the purposes of this section, the term "long-term  
16 consumption" means the cumulative effect of the consumption of food  
17 or nonalcoholic beverages, and not the effect of a single instance  
18 of consumption.

19 NEW SECTION. **Sec. 2.** This act may be cited as the commonsense  
20 consumption act."

**EFFECT:** Provides that the immunity applies to actions by a private party, instead of actions for personal injury or wrongful death; Precludes actions based on the long-term purchase of food or nonalcoholic beverages (in addition to long-term consumption).