

116TH CONGRESS
1ST SESSION

H. R. 2267

To amend the Federal Food, Drug, and Cosmetic Act to treat infant formula as adulterated if its use by date has passed.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 2019

Ms. MENG (for herself and Ms. KUSTER of New Hampshire) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to treat infant formula as adulterated if its use by date has passed.

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 “Infant Formula Pro-
5 tection Act of 2019”.

6 **SEC. 2. EXPIRED INFANT FORMULA.**

7 (a) ADULTERATION.—Section 412(a) of the Federal
8 Food, Drug, and Cosmetic Act (21 U.S.C. 350a(a)) is
9 amended—

1 (1) in paragraph (2), by striking “or” at the
2 end;

3 (2) in paragraph (3), by striking the period at
4 the end and inserting “, or”; and

5 (3) by adding at the end the following:

6 “(4) the use by date of such infant formula, as
7 specified in the labeling of such formula in accord-
8 ance with section 107.20 of title 21, Code of Federal
9 Regulations (or any successor regulations), has
10 passed.”.

11 (b) **APPLICABILITY.**—The amendment made by sub-
12 section (a) applies beginning on the date that is 6 months
13 after the date of enactment of this Act.

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