

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.

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## 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

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## 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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