

117TH CONGRESS
2D SESSION

H. R. 8351

To amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula products, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 2022

Mr. BLUMENAUER (for himself, Mr. SMITH of Nebraska, Ms. DELBENE, Mr. KILDEE, Mr. RICE of South Carolina, Mr. DANNY K. DAVIS of Illinois, Mrs. MILLER of West Virginia, Ms. MOORE of Wisconsin, Mr. WENSTRUP, Mr. SMUCKER, Mr. KUSTOFF, Mr. MURPHY of North Carolina, Mr. PANETTA, Ms. SEWELL, Mr. LARSON of Connecticut, Ms. CHU, Mr. SMITH of Missouri, and Mr. THOMPSON of California) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula products, and for other purposes.

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 “Formula Act”.

1 **SEC. 2. TEMPORARY DUTY SUSPENSIONS FOR INFANT FOR-**
 2 **MULA.**

3 (a) IN GENERAL.—Subchapter III of chapter 99 of
 4 the Harmonized Tariff Schedule of the United States
 5 (HTS) is amended by inserting the following new sub-
 6 headings in numerical sequence:

“	9903.19.19	Infant formula, put up for retail sale: Provided for in subheading 1901.10.16, 1901.10.26, 1901.10.36 or 1901.10.44	Free	No change	No change	”.
	9903.19.20	Provided for in subheading 1901.10.29 or 1901.10.49	Free	No change	No change	
		Infant formula:				
	9903.19.21	Provided for in subheading 2106.90.97	Free	No change	No change	
	9903.19.22	Provided for in subheading 2106.90.99	Free	No change	No change	

7 (b) EFFECTIVE DATE.—The amendments made by
 8 subsection (a) shall apply with respect to goods entered,
 9 or withdrawn from warehouse for consumption on or after
 10 the date of enactment of this Act and before the close of
 11 December 31, 2022.

12 (c) WAIVER OF OTHER DUTIES OR SAFEGUARDS.—
 13 Notwithstanding any other provision of law, during the pe-
 14 riod described in subsection (b), articles of infant formula
 15 that are classifiable under any subheading added by the
 16 amendments made by subsection (a) shall not be subject
 17 to—

18 (1) any additional safeguard duties that may be
 19 imposed under subchapter IV of chapter 99 of the
 20 HTS; or

21 (2) any other import quotas, tariff-rate quotas,
 22 additional duties, or any other duties, fees, exac-

1 tions, or charges that otherwise would apply to such
2 articles.

3 (d) ENTRY REQUIREMENTS.—In seeking to enter ar-
4 ticles of infant formula duty-free under this Act, importers
5 shall provide the applicable tariff classification for such
6 articles under chapter 19 or chapter 21 along with the
7 anticipated tariff classification under subchapter III of
8 chapter 99 (as added by subsection (a)) on applicable cus-
9 toms entry documents.

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