

115TH CONGRESS
1ST SESSION

H. R. 2791

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

JUNE 6, 2017

Ms. MENG 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 2017”.

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) such infant formula’s use-by date, as spec-
7 ified in the formula’s labeling in accordance with
8 section 107.20 of title 21, Code of Federal Regula-
9 tions (or any successor regulations), has passed.”.

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

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