

HR 4282

Health Freedom Protection Act

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Agriculture and Food

Introduced: Nov 9, 2005

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Nov 22, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/4282>

Sponsor

Name: Rep. Paul, Ron [R-TX-14]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (22 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---------------|------|--------------|
| Rep. Bartlett, Roscoe G. [R-MD-6] | R · MD | | Nov 9, 2005 |
| Rep. Bishop, Rob [R-UT-1] | R · UT | | Nov 9, 2005 |
| Rep. Burton, Dan [R-IN-5] | R · IN | | Nov 9, 2005 |
| Rep. DeFazio, Peter A. [D-OR-4] | D · OR | | Nov 9, 2005 |
| Rep. Duncan, John J., Jr. [R-TN-2] | R · TN | | Nov 9, 2005 |
| Rep. Jones, Walter B., Jr. [R-NC-3] | R · NC | | Nov 9, 2005 |
| Rep. Miller, Jeff [R-FL-1] | R · FL | | Nov 9, 2005 |
| Rep. Davis, Jo Ann [R-VA-1] | R · VA | | Nov 18, 2005 |
| Rep. Otter, C. L. (Butch) [R-ID-1] | R · ID | | Nov 18, 2005 |
| Rep. Rohrabacher, Dana [R-CA-46] | R · CA | | Nov 18, 2005 |
| Rep. Tancredo, Thomas G. [R-CO-6] | R · CO | | Nov 18, 2005 |
| Rep. Cannon, Chris [R-UT-3] | R · UT | | Dec 6, 2005 |
| Rep. Woolsey, Lynn C. [D-CA-6] | D · CA | | Dec 13, 2005 |
| Rep. McKinney, Cynthia A. [D-GA-4] | D · GA | | Jan 31, 2006 |
| Rep. Kuhl, John R. "Randy", Jr. [R-NY-29] | R · NY | | Mar 9, 2006 |
| Rep. Goode, Virgil H., Jr. [R-VA-5] | R · VA | | Apr 4, 2006 |
| Rep. Garrett, Scott [R-NJ-5] | R · NJ | | May 1, 2006 |
| Rep. Musgrave, Marilyn N. [R-CO-4] | R · CO | | May 1, 2006 |
| Rep. Bilirakis, Michael [R-FL-9] | R · FL | | May 18, 2006 |
| Rep. Hostettler, John N. [R-IN-8] | R · IN | | May 18, 2006 |
| Rep. Bradley, Jeb [R-NH-1] | R · NH | | Jun 20, 2006 |
| Rep. Shays, Christopher [R-CT-4] | R · CT | | Jun 29, 2006 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|---------|-------------|--------------|
| Energy and Commerce Committee | House | Referred to | Nov 22, 2005 |

Subjects & Policy Tags

Policy Area:

Agriculture and Food

Related Bills

No related bills are listed.

Summary (as of Nov 9, 2005)

Health Freedom Protection Act - Amends the Federal Food, Drug, and Cosmetic Act (FFDCA) to provide that a food or dietary supplement is not a drug solely because the label or labeling contains a claim to cure, mitigate, treat, or prevent disease.

Prohibits the Secretary of Health and Human Services from: (1) restricting the reprinting and distribution or sale of any U.S. government publication or any accurate quotations of such a publication, including content concerning nutrients and disease treatment or prevention; or (2) construing the distribution or sale of, or accurate quotation from, such a publication in connection with the sale of a food or dietary supplement as evidence of an intent to sell that food or dietary supplement as a drug.

Requires the Secretary to allow claims on food or nutrient labeling that characterize the relationship of a nutrient to the cure, mitigation, treatment, or prevention of a disease (with no more than a three-sentence disclaimer) unless the Secretary proves by clear and convincing evidence that: (1) there is no scientific evidence that supports the claim; and (2) the claim is inherently misleading and incapable of being rendered nonmisleading through the addition of a disclaimer.

Authorizes the use of specified health claims on the label of all foods and dietary supplements, including claims related to saw palmetto, omega-3 fatty acids, glucosamine, and calcium.

Allows a statement for a dietary supplement to include words that are recognized as signs or symptoms of disease so long as the statement does not include the name of a specific disease.

Amends the Federal Trade Commission Act to exempt from being regulated as advertising: (1) government publications exempted from reprinting or distribution restrictions under FFDCA; or (2) accurate summaries of scientific publications. Places the burden of proof that an advertisement for a dietary supplement or ingredient is false and misleading on the Federal Trade Commission.

Actions Timeline

- **Nov 22, 2005:** Referred to the Subcommittee on Health.
- **Nov 9, 2005:** Introduced in House
- **Nov 9, 2005:** Introduced in House
- **Nov 9, 2005:** Sponsor introductory remarks on measure. (CR E2313)
- **Nov 9, 2005:** Referred to the House Committee on Energy and Commerce.