

HR 3395

Health Freedom Act

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Jul 29, 2009

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Jul 30, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/3395>

Sponsor

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

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

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Burton, Dan [R-IN-5]	R · IN		Jul 29, 2009
Rep. Chaffetz, Jason [R-UT-3]	R · UT		Nov 15, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred to	Jul 30, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Health Freedom Act - Prohibits the federal government from preventing the use of a claim describing any nutrient in a food or dietary supplement as mitigating, treating, or preventing any disease, disease symptom, or health-related condition, unless in a final order following a trial on the merits a federal court finds clear and convincing evidence based on qualified expert opinion and published peer-reviewed scientific research that: (1) the claim is false and misleading in any material respect; and (2) there is no less speech restrictive alternative to claim suppression that can render the claim non-misleading.

Amends the Federal Food, Drug, and Cosmetic Act to deem a food or dietary supplement for which a claim characterizing the relationship of a nutrient to a disease or health-related condition not to be included in the definition of "drug" solely because of such claim. Revokes all Food and Drug Administration (FDA) rules prohibiting nutrient-disease relationship claims.

Revises the criteria for deeming a food misbranded when a claim for a nutrient is made.

Revises dietary supplement labeling exemptions to prohibit the government from preventing distribution of a publication concerning the sale of a food or dietary supplement unless: (1) it establishes that a claim contained in the publication names the specific food or supplement sold and represents that the food or supplement mitigates, treats, or prevents a disease; and (2) the claim is proven to be false and misleading in any material respect by final order of a federal court in accordance with this Act.

Actions Timeline

- **Jul 30, 2009:** Referred to the Subcommittee on Health.
- **Jul 29, 2009:** Introduced in House
- **Jul 29, 2009:** Sponsor introductory remarks on measure. (CR E2086-2087)
- **Jul 29, 2009:** Referred to the House Committee on Energy and Commerce.