HR 5740

To provide for the mandatory recall of adulterated or misbranded drugs.

Congress: 111 (2009–2011, Ended)
Chamber: House
Policy Area: Health
Introduced: Jul 14, 2010
Current Status: Referred to the House Committee on Energy and Commerce.
Latest Action: Referred to the House Committee on Energy and Commerce. (Jul 14, 2010)
Official Text: https://www.congress.gov/bill/111th-congress/house-bill/5740

Sponsor

Name: Rep. Towns, Edolphus [D-NY-10]
Party: Democratic • **State:** NY • **Chamber:** House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Sep 28, 2010
Rep. Farr, Sam [D-CA-17]	D · CA		Sep 29, 2010
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Sep 29, 2010
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Nov 15, 2010

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	Jul 14, 2010

Subjects & Policy Tags

Policy Area:

Health

Related Bills

No related bills are listed.

Summary (as of Jul 14, 2010)

Amends the Federal Food, Drug, and Cosmetic Act to require any registered producer of a drug or device to notify the Secretary of Health and Human Services (HHS), as soon as practicable, of the identity and location of a drug, if such person has reason to believe: (1) that such drug is adulterated or misbranded; and (2) there is a reasonable probability that the use or consumption of, or exposure to, the drug will cause a threat of serious adverse health consequences or death to humans or animals.

Authorizes the Secretary to: (1) request that any person who distributes a drug that the Secretary has reason to believe is adulterated, misbranded, or otherwise in violation of the FFDCA voluntarily recall such drug; (2) issue an order requiring any person who distributes a drug that may cause serious adverse health consequences or death to humans or animals to immediately cease distribution of such drug; (3) amend the order to cease distribution to include a recall of the drug after an opportunity for an informal hearing; and (4) issue an order requiring an immediate recall of a drug if the Secretary has credible evidence or information that a drug subject to a cease distribution or recall order presents an imminent threat of serious adverse health consequences or death to humans or animals. Provides for notice to affected persons.

Prohibits the failure to comply with the notification requirements of, or orders issued pursuant to, this Act.

Requires the Secretary to provide notice of a recall order to consumers to whom the drug was, or may have been, distributed and to appropriate state and local health officials, as necessary.

Actions Timeline

- **Jul 14, 2010:** Introduced in House
- **Jul 14, 2010:** Referred to the House Committee on Energy and Commerce.