

HR 1364

Free Speech About Science Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Agriculture and Food

Introduced: Apr 5, 2011

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Apr 6, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/1364>

Sponsor

Name: Rep. Chaffetz, Jason [R-UT-3]

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

Cosponsors (4 total)

| Cosponsor | Party / State | Role | Date Joined |
|--------------------------------------|---------------|------|--------------|
| Rep. Polis, Jared [D-CO-2] | D · CO | | Apr 5, 2011 |
| Rep. Herrera Beutler, Jaime [R-WA-3] | R · WA | | Jul 8, 2011 |
| Rep. Lofgren, Zoe [D-CA-16] | D · CA | | Jul 12, 2011 |
| Rep. Johnson, Timothy V. [R-IL-15] | R · IL | | Dec 13, 2011 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|---------|-------------|-------------|
| Energy and Commerce Committee | House | Referred to | Apr 6, 2011 |

Subjects & Policy Tags

Policy Area:

Agriculture and Food

Related Bills

No related bills are listed.

Free Speech About Science Act of 2011 - Amends the Federal Food, Drug, and Cosmetic Act (FFDCA) to set forth conditions under which a food or dietary supplement label may characterize the relationship of a nutrient in the food or supplement to a disease or health-related claim. Permits such a label on food if the claim: (1) is based on legitimate scientific research; (2) is in compliance with other FFDCA provisions; (3) is an accurate, balanced summary of such research; (4) enables the public to comprehend the information provided in the claim and the relative significance of such information in the context of a total daily diet; and (5) identifies each party that funded research to support the claim.

Permits such a label on a dietary supplement that claims to diagnose, treat, cure, or prevent a specific disease or class of diseases if: (1) the claim is based on legitimate scientific research; (2) the manufacturer has substantiation that such statement is truthful and not misleading; (3) the statement includes a disclaimer that it has not been evaluated by the Food and Drug Administration (FDA); and (4) the claim includes a citation to the research supporting such claim and identifies each party that funded such research.

Prohibits the Secretary of Health and Human Services (HHS) from restricting the distribution of information that is not false or misleading and that is based on legitimate scientific research in connection with the sale of food.

Amends the Federal Trade Commission Act to exempt the dissemination of legitimate scientific research in connection with the sale or distribution of a food or dietary supplement to consumers from being determined to be false advertising by virtue of the fact that the research does not directly correlate to such food or dietary supplement if the dissemination discloses that information. Places the burden of proof on the Federal Trade Commission (FTC) to establish that the literature being disseminated is not legitimate scientific research.

Actions Timeline

- **Apr 6, 2011:** Referred to the Subcommittee on Health.
- **Apr 5, 2011:** Introduced in House
- **Apr 5, 2011:** Referred to the House Committee on Energy and Commerce.