

HR 2044

Health Freedom Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Health

Introduced: May 26, 2011

Current Status: Referred to the Subcommittee on Health.

Latest Action: Referred to the Subcommittee on Health. (Jun 3, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/2044>

Sponsor

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

Party: Republican • State: TX • Chamber: House

Cosponsors (1 total)

| Cosponsor | Party / State | Role | Date Joined |
|---------------------------|---------------|------|--------------|
| Rep. Burton, Dan [R-IN-5] | R · IN | | Jun 20, 2011 |

Committee Activity

| Committee | Chamber | Activity | Date |
|-------------------------------|---------|-------------|-------------|
| Energy and Commerce Committee | House | Referred to | Jun 3, 2011 |

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 a material respect; and (2) there is no less speech-restrictive alternative to claim suppression that can render the claim non-misleading. Defines the term "material" to mean that the Food and Drug Administration (FDA) has identified a competent consumer survey demonstrating that consumers decided to purchase the food or dietary supplement based on the portion of the claim alleged to be false or misleading.

Revokes all FDA rules prohibiting nutrient-disease relationship claims.

Amends the Federal Food, Drug, and Cosmetic Act (FFDCA) to deem a food to be misbranded only when its label includes a claim adjudicated to be false and misleading under this Act. Removes limits on health claims on food provided for in the FFDCA.

Prohibits 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 accordance with this Act.

Actions Timeline

- **Jun 3, 2011:** Referred to the Subcommittee on Health.
- **May 27, 2011:** Sponsor introductory remarks on measure. (CR E972)
- **May 26, 2011:** Introduced in House
- **May 26, 2011:** Referred to the House Committee on Energy and Commerce.