

## S 4350

Emergency Infant Formula Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Foreign Trade and International Finance

**Introduced:** Jun 6, 2022

**Current Status:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

**Latest Action:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Jun 6, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/4350>

### Sponsor

**Name:** Sen. Gillibrand, Kirsten E. [D-NY]

**Party:** Democratic • **State:** NY • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

| Committee                                        | Chamber | Activity    | Date        |
|--------------------------------------------------|---------|-------------|-------------|
| Health, Education, Labor, and Pensions Committee | Senate  | Referred To | Jun 6, 2022 |

### Subjects & Policy Tags

#### Policy Area:

Foreign Trade and International Finance

### Related Bills

| Bill        | Relationship | Last Action                                          |
|-------------|--------------|------------------------------------------------------|
| 117 HR 7875 | Related bill | May 24, 2022: Referred to the Subcommittee on Trade. |

## **Emergency Infant Formula Act**

This bill addresses the shortage of infant formula in the United States, including by authorizing the President to take certain actions to expedite the importation of such formula.

Specifically, the bill authorizes the President to declare through an executive order that a shortage of infant formula exists in the United States. The President may use authorities provided under the Defense Production Act of 1950 in the production of infant formula.

Additionally, the President may authorize the importation, distribution, and sale of any covered infant formula if the applicable brand, manufacturer, manufacturing plant, or the specific infant formula product is included in the executive order. *Covered infant formula* generally refers to any infant formula that is lawfully marketed in the European Union, Canada, Japan, the United Kingdom, or any country the President determines has sufficient health and safety standards with respect to infant formula.

The bill exempts imported infant formula from U.S. labeling requirements. The Food and Drug Administration (FDA) must require retailers of imported infant formula to place a label on the product indicating it has not been approved by the FDA.

The bill also authorizes the President to reduce or suspend any duties on the importation of covered infant formula or articles used in the production of infant formula.

U.S. Customs and Border Protection must give the highest priority and take steps as necessary to expedite the processing of all entries of covered infant formula and articles used in the production of infant formula.

## **Actions Timeline**

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- **Jun 6, 2022:** Introduced in Senate
- **Jun 6, 2022:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

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