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(Original Signature of Member)

115TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Federal Food, Drug, and Cosmetic Act to treat infant formula  
as adulterated if its use-by date has passed.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. MENG introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To amend the Federal Food, Drug, and Cosmetic Act to  
treat infant formula as adulterated if its use-by date  
has passed.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Infant Formula Pro-  
5       tection Act of 2017”.

1 **SEC. 2. EXPIRED INFANT FORMULA.**

2 (a) ADULTERATION.—Section 412(a) of the Federal  
3 Food, Drug, and Cosmetic Act (21 U.S.C. 350a(a)) is  
4 amended—

5 (1) in paragraph (2), by striking “or” at the  
6 end;

7 (2) in paragraph (3), by striking the period at  
8 the end and inserting “, or”; and

9 (3) by adding at the end the following:

10 “(4) such infant formula’s use-by date, as spec-  
11 ified in the formula’s labeling in accordance with  
12 section 107.20 of title 21, Code of Federal Regula-  
13 tions (or any successor regulations) has passed.”.

14 (b) APPLICABILITY.—The amendment made by sub-  
15 section (a) applies beginning on the date that is 6 months  
16 after the date of enactment of this Act.