

117TH CONGRESS
2D SESSION

S. 4252

To terminate duties and other restrictions on the importation of infant formula, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 17), 2022

Mr. PAUL introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To terminate duties and other restrictions on the importation of infant formula, and for other purposes.

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 “Freedom to Import
5 Infant Formula Act of 2022”.

6 **SEC. 2. TERMINATION OF DUTIES AND OTHER RESTRIC-**
7 **TIONS ON IMPORTATION OF INFANT FOR-**
8 **MULA.**

9 (a) DUTY-FREE TREATMENT OF INFANT FOR-
10 MULA.—On and after the date of the enactment of this

1 Act, infant formula classified under heading 1901.10 of
2 the Harmonized Tariff Schedule of the United States shall
3 enter the United States free of duty and free of quan-
4 titative limitation.

5 (b) IMPORTATION OF INFANT FORMULA LEGAL FOR
6 SALE IN CERTAIN COUNTRIES.—

7 (1) IN GENERAL.—Notwithstanding any other
8 provision of law, with respect to infant formula from
9 a country described in paragraph (2)—

10 (A) U.S. Customs and Border Protection
11 may not seize or otherwise enforce restrictions
12 on the importation of such formula if such for-
13 mula would meet the legal requirements for sale
14 in that country; and

15 (B) such formula is deemed to be in com-
16 pliance with the requirements under section 412
17 of the Federal Food, Drug, and Cosmetic Act
18 (21 U.S.C. 350a).

19 (2) COUNTRY DESCRIBED.—A country de-
20 scribed in this paragraph is any of the following:

21 (A) Australia.

22 (B) Canada.

23 (C) Israel.

24 (D) Japan.

25 (E) New Zealand.

1 (F) The United Kingdom.

2 (G) A member country of the European
3 Union.

4 (H) A member country of the European
5 Economic Area.

6 (c) INFANT FORMULA DEFINED.—In this section, the
7 term “infant formula” has the meaning given that term
8 in section 201(z) of the Federal Food, Drug, and Cosmetic
9 Act (21 U.S.C. 321(z)).

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