
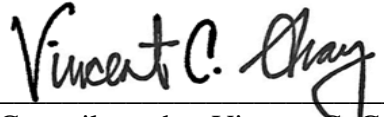



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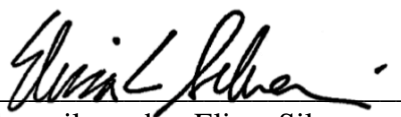
  
Chairman Phil Mendelson

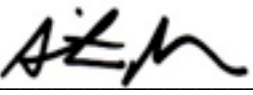
  
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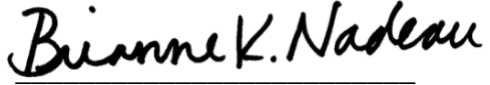
  
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Councilmember Vincent C. Gray

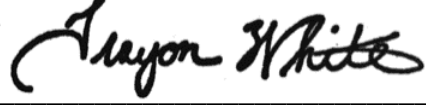
  
Councilmember Brooke Pinto


  
Councilmember Elissa Silverman


  
Councilmember Anita Bonds

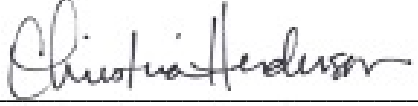
  
Councilmember Brianne K. Nadeau

  
Councilmember Janeese Lewis George

  
Councilmember Trayon White, Sr.

  
Councilmember Kenyan R. McDuffie

  
Councilmember Robert C. White, Jr.

  
Councilmember Christina Henderson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, Chapter 39 of Title 28 of the District of Columbia Official Code to prohibit price gouging in the infant formula market.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Infant Formula Consumer Protection Emergency Amendment Act of 2022”.

44           Sec. 2. Chapter 39 of Title 28 of the District of Columbia Official Code is amended as  
45 follows:

46           (a) Section 28-3901(a) is amended by adding a new paragraph (16) to read as follows:

47           “(16) “Infant formula product” means a food which purports to be, or is represented for  
48 special dietary use solely as, a food for infants by reason of its simulation of human milk or its  
49 suitability as a complete or partial substitute for human milk.”.

50           (b) Section 28-3904 is amended by adding a new paragraph (ll) to read as follows:

51           “(ll) sell or offer for sale any infant formula product at a price greater than 20% above the  
52 average price at which that person sold or offered for sale a substantially similar infant formula  
53 product in the District during the 90-day period preceding February 17, 2022, or, if the person  
54 did not sell or offer for sale infant formula during the 90-day period preceding February 17,  
55 2022, to sell or offer for sale any infant formula product at a price greater than 20% above the  
56 average price at which substantially similar retailers sold or offered for sale substantially similar  
57 infant formula products in the District during the 90-day period preceding February 17, 2022.”.

58           Sec. 3. Fiscal impact statement.

59           The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
60 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
61 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

62           Sec. 4. Effective date.

63           This act shall take effect following approval by the Mayor (or in the event of veto by the  
64 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
65 90 days, as provided for emergency acts of the Council of the District of Columbia in section

- 66 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
- 67 98 D.C. Official Code § 1-204.12(a)).