
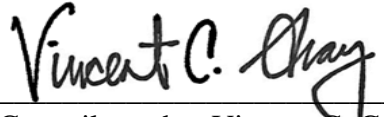



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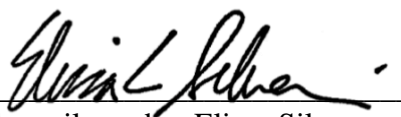

Chairman Phil Mendelson

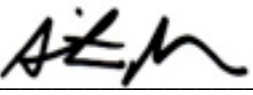

Councilmember Charles Allen

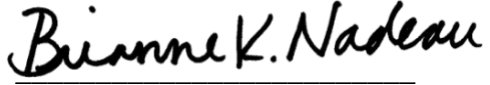

Councilmember Mary M. Cheh

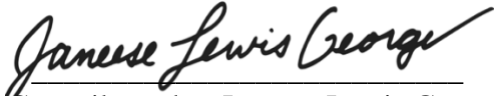

Councilmember Vincent C. Gray

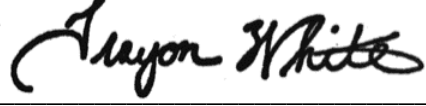

Councilmember Brooke Pinto



Councilmember Elissa Silverman



Councilmember Anita Bonds

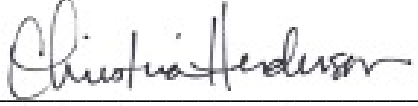

Councilmember Brianne K. Nadeau


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 a temporary 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 Temporary 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 (II) to read as follows:

51 “(II) 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 (a) This act shall take effect following approval by the Mayor (or in the event of veto by
64 the Mayor, action by the Council to override the veto), a 30-day period of congressional review
65 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

66 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
67 Columbia Register.

68 (b) This act shall expire after 225 days of its having taken effect.