

**One Hundred Seventeenth Congress
of the
United States of America**

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday,
the third day of January, two thousand and twenty-two*

An Act

To amend the Harmonized Tariff Schedule of the United States to suspend temporarily rates of duty on imports of certain infant formula products, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Formula Act”.

SEC. 2. TEMPORARY DUTY SUSPENSIONS FOR INFANT FORMULA.

(a) **IN GENERAL.**—Subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTS) is amended by inserting the following new subheadings in numerical sequence:

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|---|------------|--|------|-----------|-----------|----|
| “ | 9903.19.19 | Infant formula, put up for retail sale: Provided for in subheading 1901.10.16, 1901.10.26, 1901.10.36 or 1901.10.44 | Free | No change | No change | |
| | 9903.19.20 | Provided for in subheading 1901.10.29 or 1901.10.49 | Free | No change | No change | |
| | 9903.19.21 | Infant formula: Provided for in subheading 2106.90.97 | Free | No change | No change | |
| | 9903.19.22 | Provided for in subheading 2106.90.99 | Free | No change | No change | ”. |

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply with respect to goods entered, or withdrawn from warehouse for consumption on or after the date of enactment of this Act and before the close of December 31, 2022.

(c) **WAIVER OF OTHER DUTIES OR SAFEGUARDS.**—Notwithstanding any other provision of law, during the period described in subsection (b), articles of infant formula that are classifiable under any subheading added by the amendments made by subsection (a) shall not be subject to—

(1) any additional safeguard duties that may be imposed under subchapter IV of chapter 99 of the HTS; or

(2) any other import quotas, tariff-rate quotas, additional duties, or any other duties, fees, exactions, or charges that otherwise would apply to such articles.

(d) **ENTRY REQUIREMENTS.**—In seeking to enter articles of infant formula duty-free under this Act, importers shall provide the applicable tariff classification for such articles under chapter 19 or chapter 21 along with the anticipated tariff classification under

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subchapter III of chapter 99 (as added by subsection (a)) on applicable customs entry documents.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*