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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To improve transparency and the availability of information regarding dietary supplements by amending the Federal Food, Drug, and Cosmetic Act to require manufacturers of dietary supplements to list dietary supplements with the Food and Drug Administration.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To improve transparency and the availability of information regarding dietary supplements by amending the Federal Food, Drug, and Cosmetic Act to require manufacturers of dietary supplements to list dietary supplements with the Food and Drug Administration.

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 “Dietary Supplement
5 Listing Act of 2026”.

1 **SEC. 2. REGULATION OF DIETARY SUPPLEMENTS.**

2 (a) IN GENERAL.—Chapter IV of the Federal Food,
3 Drug, and Cosmetic Act (21 U.S.C. 341 et seq.) is amend-
4 ed by inserting after section 403C of such Act (21 U.S.C.
5 343–3) the following:

6 **“SEC. 403D. DIETARY SUPPLEMENT LISTING REQUIRE-**
7 **MENT.**

8 “(a) IN GENERAL.—Beginning on the date specified
9 in subsection (b)(4), each dietary supplement marketed in
10 the United States shall be listed with the Secretary in ac-
11 cordance with this section. Each such listing shall include,
12 with respect to the dietary supplement, the information
13 specified in subsection (b)(1).

14 “(b) REQUIREMENTS.—

15 “(1) IN GENERAL.—The manufacturer, packer,
16 or distributor of a dietary supplement whose name
17 (pursuant to section 403(e)(1)) appears on the label
18 of a dietary supplement marketed in the United
19 States (referred to in this section as the ‘responsible
20 person’), or if the responsible person is a foreign en-
21 tity, the United States agent of such person, shall
22 submit to the Secretary in accordance with this sec-
23 tion the following information for a dietary supple-
24 ment that is marketed in the United States:

1 “(A) Any name of the dietary supplement
2 and the statement of identity, including brand
3 name and specified flavors, if applicable.

4 “(B) The name and address of the respon-
5 sible person and the name and email address of
6 the owner, operator, or agent in charge of the
7 responsible person.

8 “(C) The name, domestic address, and
9 email address for the United States agent, if
10 the responsible person is a foreign entity.

11 “(D) The business name and place of busi-
12 ness the responsible person provided on the
13 label pursuant to section 403(e)(1).

14 “(E) An electronic copy of the label for the
15 dietary supplement.

16 “(F) A list of all ingredients in each such
17 dietary supplement required under sections
18 101.4 and 101.36, title 21, Code of Federal
19 Regulations (or any successor regulations), to
20 appear on the label of a dietary supplement, in-
21 cluding—

22 “(i) where applicable, ingredients in a
23 proprietary blend as described in section
24 101.36(e) of title 21, Code of Federal Reg-
25 ulations (or any successor regulations);

1 “(ii) the amount per serving of each
2 listed dietary ingredient;

3 “(iii) if required by section 101.36 of
4 title 21, Code of Federal Regulations (or
5 any successor regulations), the percent of
6 the daily value of each listed dietary ingre-
7 dient; and

8 “(iv) the amount per serving of die-
9 tary ingredients within a proprietary blend
10 (which shall remain confidential and not
11 subject to public disclosure).

12 “(G) The number of servings per container
13 for each container size.

14 “(H) The directions for use.

15 “(I) Warnings, notice, and safe handling
16 statements, as required by section 101.17 of
17 title 21, Code of Federal Regulations (or any
18 successor regulations).

19 “(J) Allergen statements for major food al-
20 lergens (pursuant to sections 403(w) and
21 403(x)).

22 “(K) The form of the dietary supplement
23 (such as tablets, capsules, powders, liquids,
24 softgels, and gummies).

1 “(L) Any claim that appears on the label
2 or package insert that—

3 “(i) characterizes the relationship of
4 any ingredient to a disease or a health-re-
5 lated condition and is described in section
6 403(r)(1)(B); or

7 “(ii) is subject to notification under
8 section 403(r)(6), provided that no addi-
9 tional listing or change to listing informa-
10 tion is required under this paragraph for
11 any minor variation or modification to a
12 claim for which notification under section
13 403(r)(6) is not required.

14 “(M) The dietary supplement product list-
15 ing number for the dietary supplement provided
16 by the Secretary in accordance with subsection
17 (c).

18 “(2) FORMAT; NOTIFICATION OF RECEIPT.—

19 “(A) FORMAT.—The Secretary may re-
20 quire that a listing submitted under paragraph
21 (1) be submitted in an electronic format.

22 “(B) NOTIFICATION OF RECEIPT.—

23 “(i) IN GENERAL.—Upon receipt of a
24 listing under paragraph (1), the Secretary

1 shall promptly notify the responsible per-
2 son of—

3 “(I) the receipt of a complete
4 listing; or

5 “(II) the receipt of a listing that
6 is not complete, together with a state-
7 ment describing the reasons why the
8 listing is not complete.

9 “(ii) COMPLETE RECEIPTS DE-
10 SCRIBED.—A listing under paragraph (1)
11 is deemed complete once all fields of re-
12 quired information have been completed by
13 the responsible person who represents that
14 the product will be marketed in the United
15 States as a dietary supplement.

16 “(3) LISTING CONTENT.—A single listing sub-
17 mission for a dietary supplement under paragraph
18 (1) may include multiple dietary supplements with
19 identical formulations and forms, or formulations of
20 the same form, that differ only with respect to color,
21 excipients, or flavorings, whether offered in a single
22 package size or in multiple package sizes.

23 “(4) TIMING.—

24 “(A) IN GENERAL.—

1 “(i) DIETARY SUPPLEMENTS ON THE
2 MARKET.—In the case of a dietary supple-
3 ment that is being offered in interstate
4 commerce on or before January 1, 2027, a
5 listing for each such dietary supplement in-
6 troduced or delivered for introduction into
7 interstate commerce shall be submitted by
8 the responsible person to the Secretary
9 under this subsection not later than 18
10 months after the date of enactment of the
11 Dietary Supplement Listing Act of 2026.
12 Beginning on the date that is 2 years after
13 such date of enactment, the label for each
14 such dietary supplement shall include the
15 dietary supplement product listing number
16 provided by the Secretary in accordance
17 with subsection (c).

18 “(ii) NEW DIETARY SUPPLEMENTS.—
19 In the case of a dietary supplement that is
20 not being offered in interstate commerce
21 on or before January 1, 2027, a listing for
22 each such dietary supplement introduced
23 or delivered for introduction into interstate
24 commerce that has not been included in
25 any listing previously submitted by the re-

1 sponsible person to the Secretary under
2 this subsection shall be submitted to the
3 Secretary at the time of introduction into
4 interstate commerce. The label for each
5 such dietary supplement shall include, at
6 the time of introduction or delivery for in-
7 troduction into interstate commerce, the
8 dietary supplement product listing number
9 provided by the Secretary in accordance
10 with subsection (c).

11 “(B) DISCONTINUED DIETARY SUPPLE-
12 MENTS.—The responsible person shall notify
13 the Secretary not later than 1 year after the
14 date the responsible person discontinues the in-
15 troduction into interstate commerce of a dietary
16 supplement required to be listed with the Sec-
17 retary under paragraph (1).

18 “(C) CHANGES TO EXISTING LISTINGS.—
19 The responsible person shall submit to the Sec-
20 retary any change or modification to listing in-
21 formation submitted under paragraph (1) in-
22 cluded on the label of a dietary supplement at
23 the time the dietary supplement with the
24 change or modification is first introduced into
25 interstate commerce.

1 “(5) ADDITIONAL INFORMATION.—The respon-
2 sible person shall provide, upon request from the
3 Secretary, not later than 5 calendar days after such
4 request—

5 “(A) the full business name and physical
6 and mailing address of all locations at which
7 the responsible person manufactures, packages,
8 labels, or holds the dietary supplement; and

9 “(B) the full business name and physical
10 and mailing address from which the responsible
11 person receives a dietary ingredient or combina-
12 tion of dietary ingredients that the responsible
13 person uses in the manufacture of the dietary
14 supplement or, if applicable, from which the re-
15 sponsible person receives the dietary supple-
16 ment.

17 “(c) PRODUCT LISTING NUMBER AND DIETARY SUP-
18 PLEMENT ELECTRONIC DATABASE.—

19 “(1) DIETARY SUPPLEMENT PRODUCT LISTING
20 NUMBER.—The Secretary shall provide each dietary
21 supplement listed in accordance with subsection
22 (b)(1) a dietary supplement product listing number,
23 which may apply to multiple dietary supplements
24 with identical formulations, or formulations that dif-
25 fer only with respect to color, excipients, or

1 flavorings, including dietary supplements offered in
2 a single package size or in multiple package sizes.
3 The Secretary shall provide a process for a respon-
4 sible person to reserve dietary supplement listing
5 numbers in advance of listing under subsection
6 (b)(1).

7 “(2) ELECTRONIC DATABASE.—Not later than
8 2 years after the date of enactment of the Dietary
9 Supplement Listing Act of 2026, the Secretary shall
10 establish and maintain an electronic database that is
11 publicly available and contains information sub-
12 mitted under subsection (b)(1) (except for the infor-
13 mation submitted under subparagraphs (B), (C),
14 and (F)(iv) of such subsection). The Secretary shall
15 make such information maintained in the electronic
16 database publicly searchable, including by dietary
17 supplement product listing number, and by any field
18 of information or combination of fields of informa-
19 tion provided under subsection (b)(1) (except for the
20 information submitted under subparagraphs (B),
21 (C), and (F)(iv) of such subsection).

22 “(3) CONFIDENTIAL INFORMATION.—In re-
23 sponse to a request under section 552 of title 5,
24 United States Code, information described in sub-
25 paragraphs (B), (C), and (F)(iv) of subsection

1 (b)(1) that is derived from a listing under this sec-
2 tion, and information described in subparagraph
3 (b)(5), shall be withheld under section 552(b)(3) of
4 title 5, United States Code.

5 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
6 tion shall be construed—

7 “(1) to limit the authority of the Secretary to
8 inspect or copy records or to require the establish-
9 ment and maintenance of records under any other
10 provision of this Act;

11 “(2) to authorize the disclosure of information
12 that is prohibited from disclosure under section
13 301(j) of this Act or section 1905 of title 18, United
14 States Code, or that is subject to withholding under
15 section 552(b)(4) of title 5, United States Code;

16 “(3) to authorize or permit the release in the
17 public database, or to make subject to disclosure
18 under section 552 of title 5, United States Code, in-
19 formation that discloses the identity or location of a
20 specific registered person or facility not identified on
21 the label, or the quantity of any individual ingredi-
22 ents in a proprietary blend; or

23 “(4) to grant the Secretary authority to require
24 the approval of a dietary supplement prior to mar-
25 keting.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated \$7,872,984 for fiscal year
3 2026, and \$6,615,000 for each of fiscal years 2027
4 through 2030, for purposes of conducting the activities
5 under this section and hiring personnel required to carry
6 out this section.”.

7 (b) MISBRANDING.—Section 403 of the Federal
8 Food, Drug, and Cosmetic Act (21 U.S.C. 343) is amend-
9 ed by adding at the end the following:

10 “(z) If it is a dietary supplement for which a respon-
11 sible person or the United States agent of such a person
12 is required under section 403D to file a listing, file a
13 change to an existing listing, or provide additional infor-
14 mation to the Secretary, and such person or agent has
15 failed to comply with any such requirements under section
16 403D with respect to such dietary supplement.”.