

United States Senate

WASHINGTON, DC 20510

May 18, 2022

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

The United States is in the middle of an infant formula shortage crisis. After two years of the COVID-19 pandemic, parents and caregivers are exhausted. The last thing they need is to worry about finding safe infant formula to feed their babies—yet that is exactly the situation many find themselves in. It is absolutely unacceptable that families are struggling to meet the most basic needs of their children, and we urge you to do everything you can to quickly address the crisis—and ensure this type of shortage never happens again.

According to the Centers for Disease Control and Prevention, one in five babies receive formula within the first two days of being born. By month three, over half receive some formula, and by one year, over 75 percent receive some formula.ⁱ Because people who live in poverty and people of color are more likely to use formula within three months, this shortage is hurting our at-risk populations most.ⁱⁱ Furthermore, the closure of Abbott's Sturgis, Michigan facility has led to critical shortages of specialty formulas that provide nutrition for infants and children with certain allergies or other medical conditions, for which there are few or no alternative products on the market.ⁱⁱⁱ

Unfortunately, the shortage has left many families with only unsafe options to feed their children. The American Academy of Pediatrics, public health departments, and other experts are warning parents not to create homemade formula or dilute their purchased formula so it lasts longer. Even a small change in the ratio of formula to water could have dangerous effects on a young child.^{iv} Food banks, which often provide diapers and formula, are struggling to meet demand. One food bank reported it can only fill about 40 of the 400 requests it receives per month for formula.^v Other parents have relied heavily on the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to purchase formula—only to find the brands of formula left on shelves do not qualify for assistance.

We were encouraged to see FDA take steps this week to address the formula shortage. Recent actions taken by the Administration to boost formula imports and expand the list of products that

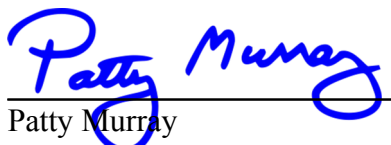
parents and caregivers can buy under WIC are critical interventions. And FDA's efforts to safely reopen Abbott's manufacturing plant and use enforcement discretion with respect to certain specialty formulas that have been held pending the investigation are important steps to boost supply. But these steps alone are not enough, and the federal government needs to do more to get formula back on shelves as soon as possible and secure the supply chain of infant formula to prevent this type of crisis from happening again. These actions require a government-wide response, as the issue spans food supply chain security, regulatory oversight, public health surveillance, market competition, government contracting, and more.

We urge you to immediately assign a coordinator within the White House to work with manufacturers directly and oversee the development and implementation of a national strategy for increasing the resiliency of the infant formula supply chain and protecting against future contamination and shortages. The national strategy should rapidly address immediate needs associated with the shortage, including identifying specific action steps and deadlines for addressing the shortage. It should also provide critical information to parents and caregivers, including where to find formula, how to transition from one formula to another, if needed, and what to do if a medical or specialty formula is unavailable.

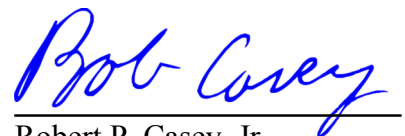
Additionally, we urge the Administration to outline a long-term strategy that allows for better information-sharing across federal, state, and local governments regarding shortages, improved and ongoing coordination with manufacturers and retailers, and measures for protecting the safety and integrity of the formula supply. The current situation highlights the critical role of states and localities, from the early warnings of potential contamination provided by the Minnesota Department of Health^{vi} to flexibilities offered by WIC state agencies.^{vii} Going forward, clear and timely communication will be key to addressing the challenges faced by families.

The COVID-19 pandemic has put an immense strain on parents and caregivers—and this shortage is only worsening the challenges families are facing. We need organized leadership and a clear plan for addressing this crisis. We cannot stop working on this issue until babies are fed.

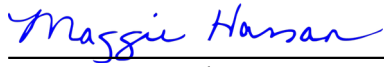
Sincerely,



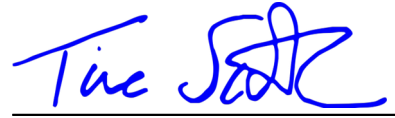
Patty Murray
United States Senator



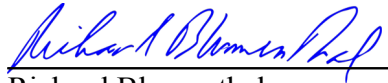
Robert P. Casey, Jr.
United States Senator



Margaret Wood Hassan
United States Senator



Tina Smith
United States Senator



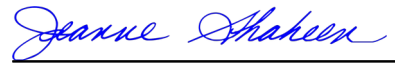
Richard Blumenthal
United States Senator



Jack Reed
United States Senator



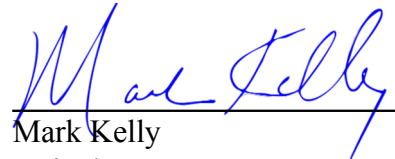
Mazie K. Hirono
United States Senator



Jeanne Shaheen
United States Senator



Jacky Rosen
United States Senator



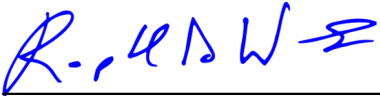
Mark Kelly
United States Senator



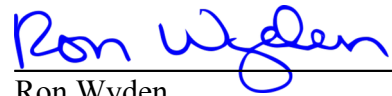
Kyrsten Sinema
United States Senator



Angus S. King, Jr.
United States Senator



Raphael G. Warnock
United States Senator



Ron Wyden
United States Senator



Jeffrey A. Merkley
United States Senator



Tammy Baldwin
United States Senator



Alex Padilla
United States Senator



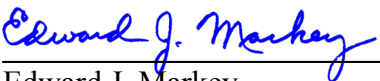
Thomas R. Carper
United States Senator



Martin Heinrich
United States Senator



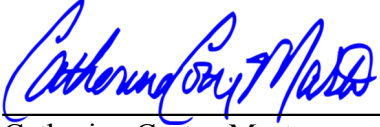
Kirsten Gillibrand
United States Senator



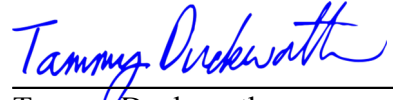
Edward J. Markey
United States Senator



Cory A. Booker
United States Senator



Catherine Cortez Masto
United States Senator



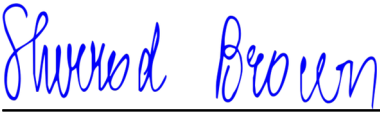
Tammy Duckworth
United States Senator



Robert Menendez
United States Senator



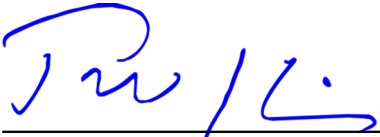
John Hickenlooper
United States Senator



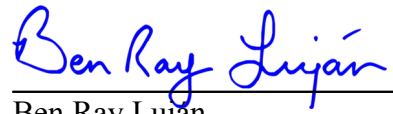
Sherrod Brown
United States Senator



Sheldon Whitehouse
United States Senator



Tim Kaine
United States Senator



Ben Ray Lujan
United States Senator



Chris Van Hollen
United States Senator



Elizabeth Warren
United States Senator

CC:

The Honorable Xavier Becerra, Secretary, Department of Health and Human Services

The Honorable Thomas Vilsack, Secretary, United States Department of Agriculture

ⁱ <https://www.cdc.gov/breastfeeding/pdf/2020-Breastfeeding-Report-Card-H.pdf>

ⁱⁱ <https://www.cdc.gov/nccdphp/dnpao/data-trends-maps/index.html>

ⁱⁱⁱ <https://www.washingtonpost.com/business/2022/05/11/baby-formula-shortage-similac-alimentum-elecare-fda/>

^{iv} <https://www.washingtonpost.com/health/2022/05/13/baby-formula-shortage-what-to-do/>

^v <https://www.wxii12.com/article/national-baby-formula-shortage-impacts-low-income-families/39995587>

^{vi} <https://www.politico.com/news/2022/02/18/fda-infant-formula-illness-four-months-before-recall-00010226>

^{vii} <https://www.fns.usda.gov/wic/infant-formula-waiver-status>; <https://www.fns.usda.gov/wic/supply-chain-Abbot-MMA>