United States Senate
WASHINGTON, DC 20510

May 13, 2022

Mardi Mountford, M.P.H.
President
Infant Nutrition Council of America
3200 Windy Hill Road S.E., Suite
600W
Atlanta, GA 30339

Dear President Mountford:

We write to express our concern about the infant formula supply shortage which is making it harder for parents and caregivers nationwide to get their children the nourishment they need. Formula is a critical source of nutrition for newborns and infants, and this supply shortage has put their health and development at risk. We are calling on you and your member companies to take immediate action and ensure that infant formula manufacturers are making every effort to mitigate this dangerous shortage and get children the nourishment they need.

Over the past several months—and particularly in light of the massive recall following contaminated formula from Abbott Nutrition, a major supplier—it has become increasingly difficult for families to access infant formula. According to a recent report, between November 2021 and early April 2022, the national out-of-stock rate for infant formula rose to 31 percent—an 11 percent increase.[1] These numbers varied significantly across the country, with some metropolitan areas seeing out-of-stock rates of over 50 percent. In several states, more than half of their infant formula supply was sold out by the last week of April.[2] Major retailers are implementing nationwide restrictions on infant formula purchases.

This shortage has placed an unacceptable burden on parents and caregivers and has put the health of babies and infants at risk. For many families, infant formula is critical for ensuring their children receive the nutrition they need to grow healthy and well-nourished. This shortage has been especially challenging for some of the most vulnerable infants, with particularly acute shortages of specialty formulas to address health needs such as allergies, gastrointestinal issues, or metabolic disorders.[3] There is no easy substitute for infant formula, and this shortage has left families across the nation scrambling to figure out how they will safely care for their children.

[1] https://datasembly.com/news/out-of-stock-rate-in-april-2022/
[2] https://www.cnn.com/2022/05/09/politics/fda-baby-formula-shortage/index.html
[3] https://www.nytimes.com/2022/05/08/business/baby-formula-shortage-retailers.html

We urge the Infant Nutrition Council of America and your member companies to do all you can to increase infant formula production and distribution, and prevent future supply chain disruptions.

Thank you in advance for your attention to this matter. Please direct correspondence pertaining to this request to Katlin Backfield at Katlin_Backfield@help.senate.gov and Yelena Tsilker at Yelena_Tsilker@help.senate.gov.

Sincerely,

Patty Murray
United States Senator

Edward J. Markey
United States Senator

Sherrod Brown
United States Senator

Jack Reed
United States Senator

Richard Blumenthal
United States Senator

Kirsten Gillibrand
United States Senator

Chris Van Hollen
United States Senator

Mazie Hirono
United States Senator

Raphael Warnock
United States Senator

Ron Wyden
United States Senator

/s/ Bob Casey
United States Senator

/s/ Patrick J. Leahy
United States Senator

Sheldon Whitehouse
United States Senator

Jon Tester
United States Senator

Bernard Sanders
United States Senator

Margaret Wood Hassan
United States Senator

/s/ Thomas R. Carper
United States Senator

Jon Ossoff
United States Senator

Cory Booker
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Michael F. Bennet
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Dianne Feinstein
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Mark R. Warner
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Tammy Duckworth
United States Senator

Tammy Baldwin
United States Senator

Alex Padilla
United States Senator

/s/ Mark Kelly
United States Senator

Tina Smith
United States Senator

Ben Ray Luján
United States Senator

Amy Klobuchar
United States Senator

/s/ Elizabeth Warren
United States Senator

/s/ Debbie Stabenow
United States Senator