

**Committee on Public Health
Bill Summary**

Bill No: H2440

Title: *An Act protecting children from harmful diet pills and muscle-building supplements*

Sponsor: Representative Danielle W. Gregoire

Committee: Public Health

Hearing Date: June 11, 2025

Similar Matters: H2530/S1620

Prior History: Refile of H2215 of 23-24; Referred to Public Health; Accompanied by S1465; Reported favorably and referred to Health Care Financing; Recommended bill ought to pass and referred to House Ways and Means; No further action.

Reporting Deadline: August 10, 2025

Current Law:

- **M.G.L. Chapter 111** pertains to public health.
- **M.G.L. Chapter 93** pertains to regulation of trade and certain enterprises.

Summary:

This bill prohibits the sale of over-the-counter diet pills or dietary supplements for weight loss or muscle building to any person under the age of 18.

SECTION 1 amends Chapter 111 of M.G.L. by inserting a new section, 243:

- Subsection (a)
 - Defines over-the-counter diet pills as drugs procured lawfully with or without a prescription that are used with the intent to achieve weight loss or build muscle.
 - Defines retail establishment to include physical, mail-order, and online stores.
- Subsection (b) prohibits the sale of over-the-counter diet pills or dietary supplements for weight loss or muscle building to any person under the age of 18.

- Subsection (c) requires retail establishments to use photo ID to verify a person is 18 years or older before selling such person over-the-counter diet pills or dietary supplements for weight loss or muscle building.
- Subsection (d) requires retail establishments to limit access to such products and keep them in a place that is not readily accessible to consumers and requires a manager or supervisor to access them.
- Subsection (e) requires retail establishments to post conspicuously at each purchase counter a notice provided by the department of public health that clearly communicates that certain over-the-counter diet pills or dietary supplements for weight loss or muscle building are known to cause a number of adverse health effects listed in the bill.
- Subsection (f) establishes a fine of no more than \$1,000 for violations of the above sections.
- Subsection (g) establishes that a violation of sections (a) through (d) constitutes an unfair method of competition or an unfair or deceptive act pursuant to chapter 93.

SECTION 2 requires the Department of Public Health (DPH) in consultation with the U.S. Food and Drug Administration (FDA) and stakeholders including the eating disorder community, to determine which over-the-counter diet pills or dietary supplements for weight loss or muscle building shall have limited accessibility.

SECTION 3 permits DPH to promulgate procedures, rules, or regulations necessary to implement this bill.

SECTION 4 states that the act shall take effect in 180 days of passing.