

State Food Chemical Ban Chart

STATE /SPONSORS	BIL NUMBER	LEG ACTIONS	ADDITIVES BANNED	EFFECTIVE DATE	OTHER BILL NOTES	IDFA ACTIONS
Arizona Biasiucci Plus 9 Rs and one D	HB 2164	Introduced	Schools shall not serve Ultra Processed Foods on school campus during normal school day. UPF defined as food/beverages with one or more: Potassium bromate Propylparaben Titanium dioxide Brominated vegetable oil Yellow dye 5 Yellow dye 6 Blue dye 1 Blue dye 2 Green dye 3 Red dye 3 Red dye 40	Not specified in bill, regular session bills effective July 1 after passage	May issue regulations News reports: Supported by AZ school boards association State school chief wants to do research	
Arkansas Davis (R) Pilkington (R)	SB9	Read, referred to public health, welfare and labor	Shall not manufacture, sell deliver, distribute, hold, or offer for sale in commerce food containing: Potassium bromate Propylparaben Red dye 3	Jan. 1 2027	Enforceable by government attorneys 1 st violation - \$5k penalty 2 nd violation - \$10k penalty	
California	Executive Order N-1-25	None to date	EO requires state agencies to provide reports on how they can improve state policy on UPF and warnings, food and color additives, GRAS evaluations, penalties for failure to notify FDA under	Reports due April 1, 2025 and school-related reports due October 1, 2025		Dairy Institute of CA lead with strong IDFA support. Work with CBA coalition when aligned and appropriate

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			voluntary process, reduce purchasing of UPF and additives relative to school meals and stricter standards.		
Connecticut Somers (R)	SB 147	Joint Cte on General Law	No person doing business in CT shall manufacture, distribute, deliver or sell food if contains Brominated vegetable oil Potassium bromate Propylparaben red dye 3		
Connecticut Anwar (D)	SB 437	Joint General Law	General statutes to be amended to prohibit the sale of food products containing food additives including but not limited to Red dye 3		
Delaware Buckson, Smith, Lawson, Hilovsky, Johnson, Morrison, Levin, Shupe, Smith and Anton (bipartisan)	SB41	Health & Social Services Cte	A person may not manufacture, sell, deliver, distribute, hold with intent to or offer for sale food that contains Red dye 3.	July 1, 2027	Civil penalties, 1 st violation \$5000 2 nd - \$10,000 with each day a separate occurrence.
Indiana Payne (R)	HB 1655	Public Health Cte	Adds new prohibited food section. Shall not sell, store, distribute or use in preparation of food: Butylated hydroxyanisole (BHA) Butylated hydroxytoluene (BHT)	July 2025	Enforceable by state health commissioner. Reckless violation is a Class B misdemeanor

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			Red dye 40 Titanium dioxide Yellow dye 5 Yellow dye 6		
Kentucky Williams		Committee on Committees	Foods shall be deemed adulterated if it contains Red dye 3		
Missouri Ealy (D)	HB 99	Read second time	Shall not manufacture, sell deliver, distribute, hold or offer for sale in commerce food for human consumption that contains: Brominated vegetable oil Potassium bromate Propylparaben Red dye 3	Jan. 1 2028	Enforceable by government attorneys 1 st violation - \$5k penalty 2 nd violation - \$10k penalty
Missouri Bosley (D)	HB 260	Read second time	Missouri Chemical Label Integrity Act: Any business that sells or manufactures a food product containing an unsafe chemical shall ensure that it contains a warning label for ultimate consumer. Warning label requires statement naming the unsafe chemical as used in food, possible health effects from ingestion, including may/known to cause cancer, birth defects or reproductive harm. Chemicals named:		Mini prop 65

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Acrylamide
 Arsenic
 Bisphenol A (BPA)
 Blue dye 1
 Cadmium
 Di(2-ethylhexyl)phthalate
 (DEHP)
 Lead
 Mercury
 Red dye 40
 Yellow dye 5
 Yellow dye 6

Montana Emrich (R)	SB 155 (LC71)	Referred to Public Health, Welfare and Safety	Creates a food safety panel to study cumulative effects of food and color additives. Advise on how state can limit those with negative effects so that state can enact rules and enforce with FDA cooperation.
New Jersey Tully (D)	A4640		For each new use of a food additive, food manufacturer for food sold in the state shall provide notice to Dept, health in an annual report the following: certification that food additive is GRAS, name of the reporting organization, name of GRAS substance, how substance will be used, amounts, and purpose. Data submissions and exemptions align with NY S1239

13 months after enactment same

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New Jersey Tully (D)	A4641	Referred to Consumer Affairs	Food shall be deemed adulterated if it includes: Azodicarbonamide Brominated vegetable oil Butylated hydroxy anisole Potassium bromate Propylparaben Red dye 3 Titanium dioxide	13 months after enactment	Civil penalties	Working with NJ Food Business Council and NEDFA as appropriate IDFA to pen letter to Tully on TD, with NEDFA, and seek meeting. Joined NJFBC in Tully meeting, Spring 2024
New Jersey Zwicker (D)	S3016	Pending before Senate Health, Human Services and Senior Citizens	Food shall be deemed adulterated if it includes: Red dye 3 Brominated vegetable oil Potassium bromate Propylparaben	13 months after enactment		Met with Zwicker Spring 2024 with NJFBC
New Jersey Haider (D) Conway (D) Reynolds-Jackson (D)	A 4132 As passed out of committee	Amended	Food shall be deemed adulterated if it includes: BVO Potassium bromate Propylparaben Red dye 3	13 months after enactment		Met with Haider spring 2024 with NJFBC
New York Senate Kavanaugh (D) Sepulveda Assembly Kelles (D) Colton, Epstein, Gibbs, Glick,	S 1239 A1556	Senate Agriculture Assembly Agriculture	3 PART BILL <u>Food Additive Ban</u> Shall be unlawful to manufacture, compound, brew, distill, produce, process, sell, deliver, distribute, hold, offer or expose for sale any of the following substances as food	1 year after effective date Additive ban effective date 1 year after effective date with small	Added additional language over last year's failed bills on GRAS and additives and added CA's school ban. Exemption: independent Retailers employing 10 or less people that acquired	Working with NEDFA as appropriate

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Jackson, Lee, Levenberg, Raga, Reyes, Rosenthal, Sayegh, Seawright, Shimsky, Simon, Steck, Stirpe, Tapia, Clark	or color additives, or any for any food containing any of the following: Red dye 3 Propylparaben Potassium bromate	retailer extension.	the food with the banned color additive may continue to sell until the date label, but no longer than 3 years after effective date.
	<u>School Meal Ban</u> No foods or beverages (including competitive and reimbursed foods) containing following substances can be sold in any public school: Red dye 3 Red dye 40 Blue dye 1 Blue dye 2 Green dye 3 Yellow dye 5 Yellow dye 6		School ban includes competitive foods, school lunch and breakfast programs School sales allowed off property or at least 30 minutes after school day is over
	<u>GRAS Reporting and Searchable Database</u> Unless a report is filed and made available in a searchable database, it is unlawful for any person to: (i) sell, offer or expose for sale for use in or on food, or to use in the manufacturing, compounding, brewing, distilling, producing, or processing of any food/product, any GRAS substance or combo thereof; (ii) make any new use of any		

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GRAS substance or combo thereof in or on food; (iii) sell, offer or expose for sale any food/product containing any GRAS substance or combination thereof.

Must provide all GRAS info as if providing to FDA (under its voluntary notification program for GRAS). All data must be publicly available.

Reporting exemption available for: GRAS submission provided to FDA and no questions letter is received from the agency; substances prior sanctioned or GRAS by FDA rule; substances subject to regulation approving intended use in food; food ingredients of natural biological origin of conventional processing widely consumed for nutrient properties prior to 1959 and no known safety hazards; approved food additives. Exempts from reporting business employing less than 10 people.

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Oklahoma Hays	HB 1264	Will be read 2/5 Fast tracked and GOP supermajority.	The following food additives shall, with respect to any particular use or intended use, be deemed to be unsafe Red dye 3 Red dye 40 Yellow dye 5 Yellow dye 6 Blue dye 1 Blue dye 2	Effective Nov 1, 2025	More limited than other bill	Working with members as appropriate
Oklahoma Thompson (R)	SB 4	Will be read 2/5 Fast tracked and GOP supermajority.	Shall not manufacture, compound, brew, distill, produce, process, sell, deliver, distribute, hold, offer, or expose for sale the following or any food containing the following: Blue dye 1 Blue dye 2 Green dye 3 Red dye 3 Red dye 40 Yellow dye 5 Yellow dye 6 Titanium dioxide Brominated vegetable oil Propylparaben Potassium bromate	Effective Nov 1, 2025	Total ban.	Working with members as appropriate
Oregon Neron, Ruiz (Ds)	HB 3015	Referred to Education	Food/beverage sold to students during the regular or extended school day when school board is in control may not contain potassium bromate or propylparaben	July 1, 2027		

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Pennsylvania Placeholder: We expect a PA Bill					Will work with PA Assoc of Milk Dealers as appropriate	
Tennessee Davis (R)	HB 134	Held pending appointment of Standing Committees	Prohibits from food and beverage items containing Red dye 40 to be sold, offered for sale, or provided to students via vending machine or other sources on school property. Includes ban on 3 rd parties to do that same, including meals and snacks through school nutrition programs. Exempts food and beverages sold to student as part of school fundraising events	Immediately upon passage		
Texas Hughes (R)	SB 314 Hughes		Bans the following food additives in food served as part of free and reduced school meal lunches: Brominated vegetable oil Potassium bromate Propylparaben Azodicarbonamide BHA Red dye 3 Titanium Dioxide	Effective dates: Applies to all contracts after Sept 1. 2025 for the 25-26 school year. If there is 2/3 vote of each house, will be effective immediately		Potential for Texas Dairy Products Institute to lead as appropriate Working with members as appropriate
Texas Davila (R)	HB1290	Introduced	same	same	same	
Texas Lacey Hull (R)	HB 1637	Introduced	Any school that provides meals to students shall not provide food containing the following:	Sept 2025. If there is 2/3 vote of each		

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			Blue dye 1 Blue dye 2 Green dye 3 Red dye 40 Yellow dye 5 Yellow dye 6 Substantially similar additives to the above (we will determine what this means)	house, effective immediately
Virginia Kent, Ballard, Cordoza, Conyer, Earley, Ennis, Orrock, Scott, Tata, Taylor, Walker, Wiley	HB 1910	1.21. Unanimously Passed House	Defines color additive. No public elementary or secondary school shall offer or make available to any student any food as part of a school meal or competitive food that contains: Blue dye 1 Blue dye 2 Green dye 3 Red dye 3 Red dye 40 Yellow dye 5 Yellow dye 6 And amend its nutritional guidelines for competitive food in accordance	July 1, 2027