

Food Additives and Dyes

TX RPC Project Legislative Rapid Response Request

February 4, 2025

Background

- Food additives are substances primarily added to processed foods or other foods produced on an industrial scale.¹
 - Additives are added to ensure processed food remains safe and in good condition throughout its journey from factories or industrial kitchens to warehouses and shops, and finally to customers.²
- Color additives are a type of dye, pigmentation, or other type of substance that is used to color foods, drugs, cosmetic materials, or other items.³
 - Color additives can also be known as synthetic food coloring, and includes colors such as red, blue, green, and yellow.³
 - These colors can be used to make foods like candy, sweets, fruit juice drinks, or medicine look more appealing and appetizing.³

On January 16, 2025, the Federal Food and Drug Administration (FDA) banned the use of Red Dye #3 in food, with all industries to remove red dyes from being used in items by January 15, 2027. This includes the use of Red Dye #3 in foods, dietary supplements, and ingested drugs.

Reference 4

Food Additives and Health

- Some food additives used in producing, packaging, and preserving can impact the thyroid and other hormone systems.³
- Food additive dyes contain chemicals that could worsen hyperactivity, inattentiveness, and additional behavioral problems in children.⁵
- Synthetic food coloring and dyes has been shown to be associated with increased irritability, restlessness, and disruption in sleep patterns among children who consumed foods with synthetic dyes.^{6,7}

National Food Additive Bills

- At the federal level, the Safe School Meals Act of 2024 was introduced to amend the Richard B Russell National School Lunch Act and is to protect students from harmful food additives in school meals.⁸
 - The bill aims to limit the number of contaminants like pesticide residues and polyfluoroalkyl (PFAS) that may be served in school meals.⁸
 - The bill would mandate regular testing of school meal program foods for contaminants and require suppliers to certify that the food adheres to safety standards.⁸
 - The bill proposes allocating funding to the Department of Agriculture for soil and water remediation funding, offering grants to schools to assist in purchasing safe food serving equipment, and allowing smaller agricultural producers to exempt from certification costs to participate in school meal programs if their food meets the safety standards.⁸

Additional synthetic dyes under review by the FDA:



Red Dye #40



Yellow Dye #3

Reference 9

U.S. State Bans on Food Additives

- In 2023, California's Governor Gavin Newsom, signed the California School Food Safety Act, which prohibits schools from serving or selling foods containing synthetic food dyes, including Red Dye #3.⁷
- California has also banned the use of Red Dye #40, Yellow Dye #5 and #6, Blue Dye #1 and #2, and Green Dye #3, all of which have been found to contribute to neurological and behavioral issues in children.¹⁰

As of October 2024, prior to the FDA's ban on Red Dye #3, 10 other states had proposed legislation to ban types of food dyes and additives in foods, including:



Missouri



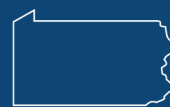
South Dakota



West Virginia



New Jersey



Pennsylvania



Maryland



Illinois



Rhode Island



Washington



New York

Reference 11

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