

119TH CONGRESS
1ST SESSION

H. R. 4858

To amend the Federal Food, Drug, and Cosmetic Act to deem adulterated food containing certain color additives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2025

Ms. MENG introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to deem adulterated food containing certain color additives, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ban Harmful Food
5 Dyes Act”.

6 **SEC. 2. FOOD CONTAINING CERTAIN COLOR ADDITIVES**
7 **DEEMED ADULTERATED.**

8 (a) IN GENERAL.—Notwithstanding the listing and
9 certification (or exemption in effect with respect to such
10 certification) of any covered color additive pursuant to sec-

tion 721 of the Federal Food, Drug, and Cosmetic Act
(21 U.S.C. 379e), effective beginning on January 1st,
2027—

(1) a covered color additive is deemed unsafe
for use in or on food within the meaning of sub-
section (a) of such section; and

(2) a food that is, or it bears or contains, such
a color additive is adulterated within the meaning of
section 402(c) of such Act (21 U.S.C. 342(c)).

(b) COVERED COLOR ADDITIVE.—In this Act, the
term “covered color additive” means the following color
additives (as such term is defined in section 201 of the
Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)):

(1) Red No. 40. (CAS 25956–17–6).

(2) Red No. 3 (CAS 16423–68–0).

(3) Yellow No. 5. (CAS 1934–21–0).

(4) Yellow No. 6. (CAS 2783–94–0).

(5) Blue No. 1. (CAS 3844–45–9).

(6) Blue No. 2. (CAS 860–22–0).

(7) Green No. 3. (CAS 2353–45–9).

(8) Orange B. (CAS 15139–76–1).

(9) Citrus Red 2. (CAS 6358–53–8).

(10) Red 3. (CAS 16423–68–0).

(11) Titanium Dioxide.

- 1 (12) Any additive that is substantially similar
- 2 to the additives specified in paragraphs (1) through
- 3 (11).

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