

New York Food Safety and Chemical Disclosure Act

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What the bill does: State-Wide Ban

- Bans 3 dangerous chemicals in foods across New York State
 - **Red No. 3** - Cancer & neurobehavioral problems
 - **Potassium bromate** - Cancer
 - **Propylparaben** - Reproductive toxicity & hormone disruption
- All 3 banned in California
- All 3 banned or severely limited in EU
 - Red No. 3 is banned in all foods except for cocktail and candied cherries and Bigarreaux cherries in the EU
- All 3 have affordable and available alternatives that are being used in safer versions of products sold in Europe.

What the bill does: Dyes & School foods

- Prohibit synthetic dyes foods sold in schools:
 - FD&C **Red No. 3**
 - FD&C **Red No. 40**
 - FD&C **Blue No. 1**
 - FD&C **Blue No. 2**
 - FD&C **Green No. 3**
 - FD&C **Yellow No. 5**
 - FD&C **Yellow No. 6**
- **Exceptions:** After school and off-campus activities
- Banned in schools in AZ, CA, UT, WV, and VA



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The Science is Settled

“Synthetic food dyes can **cause** or exacerbate neurobehavioral problems in some children.”
(OEHHA p. 279)

- California EPA conducted the most comprehensive & rigorous assessment of synthetic dyes' impacts on behaviour
- Peer-reviewed, systematic review:
 - 27 clinical trials on humans
 - Animal studies
 - In vitro high throughput assays
- **Effects:** hyperactivity, inattention, restlessness, etc.



FDA Failure and Long-term Effects

- **FDA's outdated evidence for safety doesn't consider neurobehavioral effects**
“The studies that form the basis of the FDA [Acceptable Daily Intakes] are many decades old and as such were not capable of detecting the types of neurobehavioral outcomes measured in later studies...” ([OEHHA](#) p. 177)
- **Dyes can reduce social and academic success**
“for the child who is affected and their family, their teachers, and the school system, a short term increase in inattentiveness or restlessness and anxiety that can be repeated routinely when food dye is consumed could reduce social and academic success, and is thus adverse.” ([OEHHA](#), p.9)
- **FDA and HHS are not banning food dyes. NY still needs to act.**