

AMENDMENT TO
RULES COMMITTEE PRINT 119–22
OFFERED BY MS. MENG OF NEW YORK

At the end of subtitle D of title XII, add the following new section:

1 **SEC. 124___ . FOOD CONTAINING CERTAIN COLOR ADDI-**
2 **TIVES DEEMED ADULTERATED.**

3 (a) IN GENERAL.—Notwithstanding the listing and
4 certification (or exemption in effect with respect to such
5 certification) of any covered color additive pursuant to sec-
6 tion 721 of the Federal Food, Drug, and Cosmetic Act
7 (21 U.S.C. 379e), effective beginning on January 1,
8 2028—

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

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

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

- 1 (1) Red No. 40. (CAS 25956-17-6).
- 2 (2) Red No. 3 (CAS 16423-68-0).
- 3 (3) Yellow No. 5. (CAS 1934-21-0).
- 4 (4) Yellow No. 6. (CAS 2783-94-0).
- 5 (5) Blue No. 1. (CAS 3844-45-9).
- 6 (6) Blue No. 2. (CAS 860-22-0).
- 7 (7) Green No. 3. (CAS 2353-45-9).
- 8 (8) Orange B. (CAS 15139-76-1).
- 9 (9) Citrus Red 2. (CAS 6358-53-8).
- 10 (10) Titanium Dioxide
- 11 (11) Any additive that is substantially similar
- 12 to the additives specified in paragraphs (1) through
- 13 (10).

