

SB 577-FN - AS INTRODUCED

2026 SESSION

26-2234

12/09

SENATE BILL        **577-FN**

AN ACT            prohibiting the use of specific color additives in meals offered or made available by public schools.

SPONSORS:        Sen. Perkins Kwoka, Dist 21; Sen. Altschiller, Dist 24; Rep. Spier, Hills. 6; Rep. Burroughs, Carr. 2

COMMITTEE:      Education

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ANALYSIS

This bill prohibits certain blue, red, citrus red, yellow, green, and orange color additives from being used in meals offered or made available by public schools.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT prohibiting the use of specific color additives in meals offered or made available by public schools.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Short Title. This act shall be known as the Protect Our Kids' Food Act.

2 2 Statement of Findings. The general court finds that:

3 I. Food dyes add no nutritional value to meals and studies have shown they may be harmful  
4 for some kids;

5 II. Some brands already make the exact same products without potentially harmful dyes in  
6 other countries;

7 III. There is growing bipartisan support in New Hampshire and across the country for  
8 banning these dyes because of potential health risks; and

9 IV. Banning these dyes specifically in schools - where we should be doing everything we can  
10 to foster kids' physical and emotional health - is a sensible middle ground.

11 3 New Paragraph; Prohibition of Certain Color Additives. Amend RSA 189:11-a by inserting  
12 after paragraph II the following new paragraph:

13 II-a. No public elementary or secondary school shall offer or make available to any student  
14 any food served as a part of a school meal or any competitive food that contains any of the following  
15 color additives, as recognized by the Food and Drug Administration:

16 (a) FD&C blue number 1, CAS Registry numbers 3844-45-8, 3844-45-9.

17 (b) FD&C blue number 2, CAS Registry number 860-22-0.

18 (c) FD&C green number 3, CAS Registry number 2353-45-9.

19 (d) FD&C red number 3, CAS Registry number 16423-68-0.

20 (e) FD&C red number 40, CAS Registry number 25956-17-6.

21 (f) FD&C yellow number 5, CAS Registry number 1934-21-0.

22 (g) FD&C yellow number 6, CAS Registry number 2783-94-0.

23 (h) FD&C citrus red number 2, CAS Registry number 6358-53-8.

24 (i) FD&C orange letter B, CAS Registry number 15139-76-1.

25 4 Effective Date. This act shall take effect January 1, 2028.

**SB 577-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT prohibiting the use of specific color additives in meals offered or made available by public schools.

**FISCAL IMPACT:**

<b>Estimated Political Subdivision Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Local Revenue</b>	\$0	\$0	\$0	\$0
<b>Local Expenditures</b>	\$0	\$0	Indeterminable	

**METHODOLOGY:**

This bill, effective January 1, 2028 (in the middle of school year 2027-2028), prohibits certain color additives from being used in meals offered, or made available, by public schools. Costs to school districts to comply with this bill, if any, are indeterminable and will vary by district. The Department states potential cost areas include:

- Higher food costs, to purchase whole food products that do not contain color additives
- Additional training for staff cooking the whole food products
- Changing purchasing and procurement procedures to ensure that all products procured do not have color additives
- Requiring additional food service labor to process the whole food products
- Requiring updates to local wellness policies to include the limitations stated for any food served to students in the school.

**AGENCIES CONTACTED:**

Department of Education