

Amendment to SB 577-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT prohibiting the use and recommending avoidance of specific color additives in meals
4 offered or made available by public schools as a part of school breakfast and lunch
5 meal programs.
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7 Amend the bill by replacing all after the enacting clause with the following:

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9 1 New Paragraph; Prohibition and Recommended Avoidance of Certain Color Additives. Amend
10 RSA 189:11-a by inserting after paragraph II the following new paragraph:

11 II-a.(a) No public elementary or secondary school shall offer or make available to any
12 student, as a part of a school breakfast or lunch meal, any food that contains any of the following
13 color additives as recognized by the Food and Drug Administration:

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

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

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

17 (b) Public elementary and secondary schools are encouraged to avoid offering foods
18 containing the following color additives in school breakfast and lunch meals and to work with
19 vendors to transition away from foods containing such color additives where feasible:

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

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

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

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

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

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

26 (c) This paragraph shall not apply to foods offered outside school breakfast and lunch
27 meal programs, including but not limited to foods brought by students, vending machine items, a la
28 carte sales, and school fundraisers.

29 2 Effective Date. This act shall take effect July 1, 2028.

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AMENDED ANALYSIS

This bill:

I. Prohibits the use of certain red, citrus red, and orange color additives in meals offered or made available by public schools as a part of school breakfast and lunch meal programs.

II. Encourages public schools to avoid offering foods containing certain other color additives in school breakfast and lunch meals.

III. Encourages public schools, where it is feasible, to work with vendors to transition away from foods containing certain color additives in school breakfast and lunch meals.

IV. Exempts foods offered outside school breakfast and lunch meal programs from the prohibition and recommended avoidance of certain color additives.