



March 23, 2026

Members of the House Committee on Education Policy and Administration:

The Food Ingredient Safety Coalition (FISC) representing a broad section of America's food, beverage, and ingredient industries is **respectfully opposed to SB 577**. This legislation is unnecessary, is inconsistent with other state and federal standards, and it will have an impact on suppliers, manufacturers, distributors, schools, and consumers.

FISC members source, manufacture, distribute, and sell safe and wholesome products in New Hampshire and across the United States. The safety and quality of what they make is of the highest importance, and all share a commitment to a strong national food safety system.

In the past two years, there has been an unprecedented legislative focus on food safety in states across the U.S. But there is no consistent pattern in the few laws enacted; they differ in listed ingredients and when they take effect. It is this inconsistency that should concern lawmakers.

SB 577 Is the Wrong Approach – A patchwork of unaligned state food safety laws is unworkable and confusing. Health & Human Services Secretary Kennedy acknowledged this recently by admitting that compliance with differing state laws is “impossible.”

The public agrees with these concerns, just this month a public opinion poll of voters in battleground states made clear they want the government more involved in promoting stronger ingredient transparency and disclosure. But there is a clear preference of which level of government should have such a responsibility.

By a 58%–34% margin, consumers prefer a system in which the federal government implements ingredient transparency rules rather than a state-by-state patchwork approach. That preference applies to both parties; Democrats favor a federal approach by 53%, and 62% of Trump voters agree.¹

SB 577 Is Unneeded – The United States has the safest, most efficient, and affordable food system in the world and a nationwide approach to food ingredients grounded in science. The U.S. Food & Drug Administration (FDA) has a rigorous, evolving process to evaluate safety.

The colors referenced in SB 577 are among the most carefully studied and regulated substances in the world. In the U.S., the Food & Cosmetic Act requires the FDA to safeguard our food supply and ensure that harmful substances cannot be introduced into food and beverages.

¹ <https://americansforingredienttransparency.com/wp-content/uploads/2026/02/AFIT-February-Polling-Memo.pdf>



The FDA, the European Food Safety Authority, Health Canada, and the FAO/WHO Joint Expert Committee on Food Additives have conducted comprehensive risk assessments on synthetic colors and all agree that current evidence does not establish a relationship between consumption and adverse behavior, including hyperactivity. In short, there is no evidence that colors are harmful, and they do not cause hyperactivity or obesity.

SB 577 Is Premature – FDA officials are actively reassessing how food and beverages are produced and provided in the U.S. Additionally, the U.S. Department of Agriculture (USDA) has just released updated Dietary Guidelines for Americans², which are still being evaluated and incorporated. SB 577 gets in front of this activity before it is complete and may raise conflicts.

SB 577 Is Costly to Business – Finding alternative ingredients is not simple. Product reformulation is expensive and takes time. If sufficient quantities of replacement ingredients can be identified and sourced, they must still pass extensive safety reviews. It is not simply a matter of switching one substance for another.

SB 577 Is Costly to New Hampshire Schools – Earlier this year, the School Nutrition Association released their School Year 2025 – 2026 School Nutrition Trends Report³, a survey of over 1,200 school meal program directors across the U.S. It shows huge concerns over pressure to adapt to mandates exemplified by SB 390. In the Northeast region, which includes New Hampshire, 99% of respondents cited a need for more funding and 78% of those cited that as an extreme need.

All of us share the same concerns about food safety and nutrition. But differing state rules that can change on a yearly basis only complicate the efforts to get things right. We believe the best way to protect all Americans is to support Congressional efforts to pass federal legislation establishing a national uniform standard for ingredient safety and transparency that would prevent a patchwork of 50 different state bills.

For the sake of consistency and affordability, we urge you to allow the FDA and USDA to continue their work to regulate the safety of our food and beverages based on rigorous, science-based standards.

For these reasons, we must respectfully oppose Senate Bill 577.

² https://cdn.realfood.gov/DGA_508.pdf

³ <https://schoolnutrition.org/sna-news/sna-releases-25-26-trends-report/>