

## **CALIFORNIA BANS USE OF CERTAIN FOOD ADDITIVES**

Oct 10, 2023

The California Food Safety Act, a law that bans the sale of foods containing four specific chemical additives, has been signed into California law. The law takes effect on January 1, 2027.

The new law, also known as Assembly Bill 418 (AB 418), specifically prohibits entities from manufacturing, distributing, delivering, holding, selling or offering for sale into California food products for human consumption containing the following chemicals: brominated vegetable oil, potassium bromate, propylparaben, and red dye 3.

Another chemical, titanium dioxide, was included in AB 418, but was removed from the bill before it reached Governor Newsom's desk to gain more support, and due to the stance by the U.S. Food and Drug Administration (FDA) stance that it is safe as a regulated color additive in foods. The FDA still stands behind its regulation and the safety of red dye 3, potassium bromate, brominated vegetable oil, and propylparaben as well.

The law will require food manufacturers using any of the targeted chemicals to reformulate any product containing one of these ingredients if they wish to continue to sell the product in the California market.

Violation of the California Food Safety Act will be punishable by a civil penalty not to exceed \$5,000 for a first violation and not to exceed \$10,000 for each subsequent violation. The law does not include a private right of action, but can be enforced by the California Attorney general, and city, county and district attorneys.

For questions or more information, contact the authors listed.

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## MEET THE TEAM



### **Merrit M. Jones**

San Francisco

[merrit.jones@bclplaw.com](mailto:merrit.jones@bclplaw.com)

+1 415 675 3435



### **Nora J. Faris**

Denver / St. Louis

[nora.faris@bclplaw.com](mailto:nora.faris@bclplaw.com)

+1 314 259 2209

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