



Written by [Dina van Heemst](#) on May 2, 2023

California Legislation to Ban Five Common Food Additives

A [California bill](#) introduced by State Assembly members Jesse Gabriel (D-Woodland Hills) and Buffy Wicks (D-Oakland) in early February would ban the manufacture, sale, delivery, distribution, holding, and sale of the popular ingredients red dye No. 3, titanium dioxide, potassium bromate, brominated vegetable oil, and propyl paraben. These ingredients have caused concern regarding their safety and are already banned in the European Union. Their use is still widely debated in the United States with studies and groups sounding the alarm on their potential dangers.



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“Californians shouldn’t have to worry that the food they buy in their neighborhood grocery store might be full of dangerous additives or toxic chemicals,” said Gabriel in a [press release](#). “This bill will correct for a concerning lack of federal oversight and help protect our kids, public health, and the safety of our food supply.”

One of the ingredients that Assembly Bill 418 aims to ban is red dye No. 3, a popular colorant made from petroleum added to foods, drinks, and medicines. The additive has been approved for use in food since 1907, but was banned from cosmetics in the 1990s. [According to](#) the Environmental Working Group (EWG), there are more than 2,900 products that contain red dye No. 3. It is found in foods such as chips, candy, fruit cups, soft drinks, sports drinks, cereal, sauces, and baked goods. Studies have linked the dye to cancer in animals after lab rats developed tumors in their thyroids when fed it at high doses after a long period of time. Food dyes including red dye No. 3 have also been found to cause hyperactivity and other neurobehavioral issues in children. While studies have shown that the colorant has reason to cause concern, the FDA maintains that the ingredient is safe for human consumption.

Titanium dioxide is another ingredient that would be banned under the new bill. It came under [recent scrutiny](#) when a California man sued the manufacturer of Skittles — Mars, Incorporated — for including the ingredient in the candy. He claimed that titanium dioxide is “unfit for human consumption” and that Mars did not warn consumers about its dangers. The additive is widely used in food to enhance its white color. In 2021, the European Food Safety Authority (EFSA) [concluded that](#) titanium dioxide is no longer safe as a food additive. The EFSA was not able to rule out the concern for genotoxicity, the ability of a chemical to damage DNA, and therefore could not establish a safe level for the daily intake of the additive.

The other ingredients included in the ban — bromated vegetable oil, potassium bromate, and propyl paraben — are less widely talked about, but have also been shown to potentially cause health problems. [Bromated vegetable oil](#) is added to sodas to keep the citrus flavoring from separating and floating to the top of the beverage, while [potassium bromate](#) is used in doughs to strengthen them and help enhance their texture. Parabens are often included in cosmetics, but greater consumer awareness has resulted



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in people demanding manufacturers to find alternatives to the preservative. While shampoos and lotions may advertise that they are paraben-free, it is still used in American foods. Propyl paraben, an anti-microbial agent, is used as a preservative in some muffins, cookies, tortillas, and cakes. It is found in more than 50 products in U.S. grocery stores, [according to EWG](#).

Each of the ingredients that are included in the bill have been either banned or severely regulated in the European Union due to scientific research suggesting they cause numerous health complications. Red dye No. 3 is allowed, but it must be clearly labeled with a warning regarding the risk of the dye. Titanium dioxide, bromated vegetable oil, potassium bromate, and propyl paraben are all banned from foods in the EU.

The bill is co-sponsored by the Environmental Working Group and Consumer Reports. In [a press release](#), Susan Little, EWG's senior advocate for California government affairs, stated, "It makes no sense that the same products food manufacturers sell in California are sold in the EU but without these toxic chemicals. Our kids need to be protected, too." Consumer Reports' Brain Ronholm, director of food policy, said in the press release, "These dangerous food chemicals should not be in our food supply as it puts consumers at risk for exposure to known carcinogens and hormone disrupters, and some have been linked to hyperactivity and other neurobehavioral effects in young children."

While these two advocacy groups are backing the bill, there are a number of organizations that object. Among the groups opposed to the bill are the National Confectioners Association, the American Chemistry Council, the International Association of Color Manufacturers, the California League of Food Producers, the Consumer Brands Association, the American Beverage Association, the American Bakers Association, and the North American Millers' Association. In [a joint letter](#) to Assemblyman Jim Wood, chair of the Assembly Committee on Health, the above organizations objected to the bill, stating, "This coalition supports initiatives to promote food safety and actively engages in the regulatory processes to ensure a safe and wholesome food supply. As a result, the federal government and the state of California have developed one of the world's most robust and protective systems for food safety. In short, we encourage the Legislature to allow that system to do this critical work. Therefore, this coalition respectfully oppose AB 418 and urges the committee to hold the bill."

If the bill passes, it would go into effect on January 1, 2025, making the five ingredients illegal to manufacture and sell in the state of California.



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