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SENATE BILL NO. 1289

Senate Amendments in [] - February 3, 2025

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-207.4:3, relating to public elementary and secondary schools; nutritional standards for school meals and other foods; certain color additives prohibited.*

Patrons Prior to Engrossment—Senators Jordan, Craig, Durant and Roem

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-207.4:3 as follows:

§ 22.1-207.4:3. *Nutritional standards for school meals and other foods; certain color additives prohibited.*

A. *As used in this section:*

"Color additive" means any material not exempted pursuant to 21 U.S.C. § 321(t)(1) that is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source and that when added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable of imparting color thereto.

"Competitive food" means the same as that term is defined in § 22.1-207.4.

B. No public elementary or secondary school shall offer or make available to any student any food served as a part of a school meal or any competitive food that contains any of the following color additives:

1. *FD&C Blue No. 1 (CAS Reg. No. [~~3844-45-8~~ 3844-45-9]);*

2. *FD&C Blue No. 2 (CAS Reg. No. 860-22-0);*

3. *FD&C Green No. 3 (CAS Reg. No. 2353-45-9);*

4. *FD&C Red No. 3 (CAS Reg. No. 16423-68-0);*

5. *FD&C Red No. 40 (CAS Reg. No. 25956-17-6);*

6. *FD&C Yellow No. 5 (CAS Reg. No. 1934-21-0); or*

7. *FD&C Yellow No. 6 (CAS Reg. No. 2783-94-0).*

C. The Board shall amend its nutritional guidelines for competitive foods promulgated pursuant to § 22.1-207.4 in accordance with the provisions of this section.

[2. That the provisions of this act shall become effective on July 1, 2027.]

ENGROSSED

SB1289E