

House Bill 1208 – Public Health – Prohibited Ingredients in Food

POSITION: Support

March 27, 2025

Senate Finance Committee

The University of Maryland Medical System (“UMMS”) respectfully submits this letter of support to **House Bill 1208 – Public Health – Prohibited Ingredients in Food**.

House Bill 1208 (“HB 1208”) seeks to amend the Maryland Food, Drug, and Cosmetic Act (“MFDCA”) to prohibit the manufacture and sale of food that contains certain artificial and toxic additives, beginning on October 1, 2028. The bill also would establish criminal and civil penalties for the manufacture or sale of products containing these prohibited additives and authorize the Maryland Department of Health to enforce its provisions.

A growing body of scientific research indicates that consumption of artificial additives is associated with increased health risks. And, many of these health risks may disproportionately impact children. FDA estimates that per capita artificial food dye consumption in the country has increased by more than 500 percent since 1950 (11 mg to 61 mg per day). The primary driver of this increase has come from food products most often consumed by children and young adults, such as candy, cereal, and energy and sports drinks. Recent data suggest that increased consumption of the artificial additives included in this bill has resulted in a deleterious effect on children’s behavior, including hyperactivity and ADHD, and/or been linked to cancer or reproductive or thyroid issues in humans or animals.

As of January 15, 2025, two of the four artificial or modified food additives included in the bill (Red No. 3 and brominated vegetable oil) have been banned by the U.S. Food and Drug Administration over health and toxicity concerns. FDA banned Red No. 3 in January 2025, under the “Delaney Clause,” which prohibits FDA authorization of a food or color additive if it has been found to cause cancer in humans or animals, and FDA banned brominated vegetable oil in August 2024, due to research studies linking the additive with reproductive and thyroid issues. HB 1208 would bring Maryland and the MFDCA in line with federal law, while also expanding the authority of State health authorities to ensure compliance with this important prohibition.

HB 1208 would also prohibit the manufacture or sale of potassium bromate and propylparaben. Both additives are currently banned in the European Union, Canada, Japan, and several other countries. In 2023, California became the first state to ban these additives, but since California’s law was adopted, several other states have passed measures restricting or prohibiting these additives, including Arizona, Illinois, and West Virginia. In addition, at least 18 state legislatures are actively considering bans on these and other artificial additives this year. States are proposing and adopting bans on propylparaben, and potassium bromate due to growing concerns that

exposure to, or consumption of, these additives may adversely impact hormone functions or increase the risk of cancer.

For these reasons, the University of Maryland Medical System supports HB 1208, and respectfully requests a *favorable* report on the bill.

For more information, please contact:

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