

To: Senate Finance Committee

From: Brandy Qualls

Re: HB 1004 / SB 1022 -Public Health-Prohibited Ingredients in Food

Position: FAVORABLE

To the Honorable Members of the Senate Finance Committee,

My name is Brandy Qualls. I am a PhD student in Health Psychology specializing in interdisciplinary systems biology research, and I bring 20 years of experience navigating Maryland's court systems. I am writing to urge a FAVORABLE report on HB 1004 / SB 1022.

From a systems biology perspective, the human body is an integrated network. Synthetic additives such as Red Dye 3 and Brominated Vegetable Oil act as systemic disruptors. They do not exist in a vacuum; they interfere with the delicate feedback loops among the gut-brain axis, the endocrine system, and the immune response, particularly in the developing biological systems of children.

Having navigated the complexities of the Maryland courts for two decades, I recognize when a system fails its citizens. The inclusion of these toxins in our food supply is a failure of public health infrastructure. I urge this committee to prioritize biological integrity, protect our state's fiscal health, and support HB 1004 / SB 1022

Respectfully,

Brandy Qualls

Linthicum, Anne Arundel County

Scientific Exhibits in Support of HB 1004 / SB 1022

Exhibit A: The Clinical Evidence

- **Study:** Miller, M. D., et al. (2022). "Potential impacts of synthetic food dyes on activity and attention in children." *Environmental Health*.
- **Systemic Impact:** This review of 25 clinical trials found that **64%** showed a positive association between dye exposure and adverse behavioral outcomes.
- **Regulatory Failure:** The study concludes that current FDA "Acceptable Daily Intakes" (ADIs) are based on 35- to 50-year-old studies that failed to assess neurobehavioral endpoints.

- **Vulnerability:** As a researcher in systems biology, I highlight the study's finding that these dyes disrupt the endocrine and nervous systems at levels currently, and erroneously, considered "safe" by the FDA.

Exhibit B: The 2024 Systems Biology Update

- **Study:** de Oliveira, Z. B., et al. (2024). *“Synthetic Colors in Food: A Warning for Children’s Health.” International Journal of Environmental Research and Public Health.*
- **Toxicological Risk:** This 2024 review categorizes synthetic food dyes as chemical additives associated with potential cytotoxic and mutagenic effects, as well as gastrointestinal disturbances.
- **Broad Population Impact:** The study identifies that neurobehavioral abnormalities occur in children both with and without diagnosed disorders (ASD/ADHD).
- **Developmental Disruption:** The research emphasizes that these additives adversely affect the cognitive, metabolic, and nutritional health of children, necessitating a proactive approach by public authorities.

Exhibit C: Critical Regulatory Update (2024–2026)

The opposition’s primary defense, “trust the FDA,” is increasingly difficult to reconcile with recent regulatory actions. The FDA has revised its position on several of the chemicals addressed in HB 1004 / SB 1022, reflecting updated scientific assessments and raising questions about the adequacy of prior safety standards.

- **Brominated Vegetable Oil (BVO):** On July 3, 2024, the FDA issued a final rule revoking its authorization due to safety concerns (effective August 2, 2024).
- **Red Dye No. 3:** On January 15, 2025, the FDA issued a final order revoking its use in food and ingested drugs pursuant to the *Federal Food, Drug, and Cosmetic Act* (21 U.S.C. § 379e(b)(5)(B)), which prohibits the approval of any color additive shown to induce cancer in humans or animals.
- **National Alignment:** On April 22, 2025, HHS and the FDA launched a national initiative to phase out petroleum-based dyes, with industry transition targeted through 2027.

The Bottom Line: The industry urges this Committee to rely on safety standards that the FDA has already moved to revoke. Maryland is not acting in a “radical” manner by advancing HB 1004 / SB 1022; rather, the state is taking reasonable steps to ensure that it is not used as a market for substances that federal authorities have determined are no longer safe for the U.S. food supply.