STATE OF NEW YORK

8707

2025-2026 Regular Sessions

IN ASSEMBLY

June 2, 2025

Introduced by M. of A. KELLES, ANGELINO, BURROUGHS, P. CARROLL, CLARK, COLTON, CRUZ, DE LOS SANTOS, DINOWITZ, EPSTEIN, GALLAGHER, GIBBS, GLICK, HEVESI, JACKSON, KAY, LEE, LEVENBERG, LUNSFORD, NORBER, PAULIN, RAGA, REYES, ROSENTHAL, SAYEGH, SCHIAVONI, SEAWRIGHT, SHIMSKY, SIMON, SLATER, STECK, STIRPE, TAGUE, TAPIA, TORRES -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to prohibiting the sale of foods containing synthetic additives in schools

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The education law is amended by adding a new section 915-b to read as follows:

§ 915-b. Prohibiting the sale of foods containing synthetic color additives. 1. No foods or beverages, including competitive foods as defined under 7 CFR 210.11(a)(2) and meals reimbursed under programs authorized by the federal Richard B. Russell National School Lunch Act (Public Law 113-79) and the federal Child Nutrition Act of 1966 (42 U.S.C. Sec. 1771 et seq.), containing any of the following substances shall be sold in any public school within the state:

a. FD&C Red No. 3

b. FD&C Red No. 40

c. FD&C Blue No. 1

d. FD&C Blue No. 2

e. FD&C Green No. 3

f. FD&C Yellow No. 5

g. FD&C Yellow No. 6

2. A school may permit the sale of foods and beverages that do not comply with subdivision one of this section if the sale of such items takes place either:

a. off and away from the premises of the school; or

b. on school premises at least one-half hour after the end of the school day.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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