STATE OF NEW YORK

3214--B

2025-2026 Regular Sessions

IN SENATE

January 24, 2025

Introduced by Sens. KAVANAGH, CLEARE, FERNANDEZ, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. A vendor shall not offer to sell to any public schools within the state 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:

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

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

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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.