

By Senator Wright

8-01008-25

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1                   A bill to be entitled  
2       An act relating to food additives; creating s.  
3       500.181, F.S.; requiring that food and drink products  
4       intended for human consumption which contain synthetic  
5       dyes have a certain warning on the products'  
6       packaging; providing penalties; providing for the  
7       deposit of fine proceeds to the General Inspection  
8       Trust Fund; requiring the Department of Agriculture  
9       and Consumer Services to conduct certain inspections;  
10      providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14       Section 1. Section 500.181, Florida Statutes, is created to  
15 read:

16       500.181 Food additives.—

17       (1) (a) Effective July 1, 2026, an article used for food or  
18 drink for human consumption containing any synthetic color  
19 additive, including Blue 1 (CAS 3844-45-9), Blue 2 (CAS 860-22-  
20 0), Green 3 (CAS 2353-45-9), Red 40 (CAS 25956-17-6), Yellow 5  
21 (CAS 1934-21-0), Yellow 6 (CAS 2783-94-0), and, when used as a  
22 color additive, titanium dioxide (CAS 13463-67-7), must display  
23 the following warning:

24  
25       WARNING: This product contains synthetic colors, which  
26 may have an adverse effect on activity and attention  
27 in children.

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29       (b) A manufacturer may, until December 31, 2028, use an

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30 adhesive sticker to provide the warning requirements in  
31 paragraph (a). However, beginning January 1, 2029, such warnings  
32 must be printed directly on the product's packaging.

33 (2) (a) A manufacturer who violates subsection (1) is  
34 subject to a formal written notice and a fine of:

- 35 1. Up to \$1,000 per item, for a first offense.
- 36 2. Up to \$2,500 per item, for a second offense.
- 37 3. Up to \$5,000 per item, for a third or subsequent  
38 offense.

39 (b) A retailer or distributor who sells a product that  
40 violates subsection (1) is subject to the following penalties:

- 41 1. A written warning for a first offense.
- 42 2. A formal citation requiring corrective action for a  
43 second offense.
- 44 3. A fine of \$750 for a third offense.
- 45 4. A fine of \$1,000 for a fourth offense.
- 46 5. A fine of up to \$2,500 for a fifth or subsequent  
47 offense.

48 (c) Fines collected pursuant to this section must be  
49 deposited in the department's General Inspection Trust Fund.

50 (3) The department shall conduct inspections under this  
51 section as part of regular food and drink product inspections.

52 Section 2. This act shall take effect upon becoming a law.