



## Congress Joins FDA in Focusing on Food Dye Limitations

August 27, 2025

Reading Time : **2 min**

By: Anna K. Abram, Nathan A. Brown, Oluwaremilekun O. Mehner

Food dye reform has been an area of focus for the Trump administration as part of its Make America Healthy Again (MAHA) initiative, giving momentum to an effort the Food and Drug Administration (FDA) had already started by banning Red No. 3 for use in food and ingested drugs. FDA has continued to prioritize this work by taking actions to phase out the use of synthetic dyes and move to natural dyes since calling for these changes earlier this year, as discussed in our [previous blog](#) on the related announcement by the administration.

In recent weeks, members of Congress have unveiled multiple pieces of legislation to reform how food dyes are regulated. Notably, on August 12, 2025, Ranking Member of the House Energy and Commerce Committee Representative Frank Pallone (D-NJ) introduced H.R. 4958, the Grocery Reform And Safety (GRAS) Act, which would make significant changes to how food additives (including food dyes) are regulated by FDA. The legislation also calls for regular safety reassessments of such substances and new resources in the form of industry user fees and by authorizing appropriations. More recently, on August 22, 2025, Representative Grace Meng (D-NY), a member of the Congressional Food Safety Caucus, introduced H.R. 5027, the Ban Harmful Food Dyes Act, a bill that would revoke the legal status of several synthetic color additives commonly used in food products. Specifically, the legislation targets dyes such as Red No. 40, Yellow No. 5, Blue No. 1 and Titanium Dioxide, proposing to deem them unsafe for use in or on food, and food containing them as adulterated under section 402(c) of the Federal Food, Drug, and Cosmetic Act (FD&C Act).

While it is unlikely that Congress will take up either H.R. 4958 or H.R. 5027 in the coming days or months, the introduction of these bills demonstrates that the interest in making changes to how food dyes are regulated [spans multiple administrations](#) and some members of

Congress. These latest legislative developments arrive amid growing state-level activity, with numerous states having taken steps to regulate food dyes. These developments are also occurring against the backdrop of an evolving public health conversation around food additive and ultra-processed foods (UPFs) and the anticipated release of the MAHA strategy called for in the MAHA EO issued earlier this year. Taken together, these dynamics underscore that food dye reform will continue to be an evolving policy space for the foreseeable future and FDA is likely to have congressional support in continuing to prioritize regulatory reform of food ingredients.

## Categories



© 2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such. Prior results do not guarantee a similar outcome. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin Gump network operates worldwide, please see our Legal Notices page.