

Memorandum in SUPPORT**A8707/S3214**

Legislative Office Building
198 State St.
Albany, New York 12210

Dear New York State Legislator,

The Center for Science in the Public Interest requests your support and co-sponsorship of A8707/S3214, introduced by Assemblymember Dr. Anna Kelles and Senator Brian Kavanagh.^{1,2} This legislation would prohibit the use of seven synthetic dyes in foods served in New York public schools—chemicals shown to affect behavior and attention in certain children, with consequences for learning.

This bill aligns with science-based protections already adopted by New York City, California, and several other states to safeguard children from unnecessary and harmful synthetic dyes.

Synthetic Dyes Have No Place in School Foods

Decades of research exist on synthetic dyes, but their potential effects on children's behavior were not systematically assessed until recently. In 2021, California's Environmental Protection Agency comprehensively reviewed the evidence, including 27 human clinical trials, and concluded that synthetic food dyes "can cause or exacerbate neurobehavioral problems in some children."³ These effects—such as inattentiveness, hyperactivity, and restlessness—can impair children's academic and social success.

New York City schools have banned synthetic food dyes for decades.⁴ A8707/S3214 would expand that protection to children across the state by banning Red 3, Red 40, Blue 1, Blue 2, Green 3, Yellow 5, and Yellow 6 from school foods. These dyes serve no nutritional or food safety purpose and exist solely to enhance appearance.⁵ Safer alternatives are readily available, and many food companies sell dye-free versions abroad—Kellogg's Froot Loops, for example, are made without synthetic dyes in the EU and Canada.^{6,7}

Schools should not serve foods that impede children's ability to succeed. In 2024, California passed legislation banning these dyes in school foods, and in 2025, eight other states passed school-based restrictions for some or all synthetic dyes.⁸ With the FDA favoring voluntary action over regulation, state leadership is essential to protect children from synthetic dyes.

Conclusion

We urge your support and co-sponsorship of A8707/S3214. By acting now, New York can ensure all students are protected from harmful and unnecessary synthetic dyes, advancing a safer, science-based food environment in schools.

Sincerely,

Center for Science in the Public Interest

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References

- ¹ NY Assembly Bill A8707, <https://www.nysenate.gov/legislation/bills/2025/A8707>.
- ² NY Senate Bill S3214, <https://www.nysenate.gov/legislation/bills/2025/S3214/amendment/A>.
- ³ California Office of Environmental Health Hazard Assessment (OEHHA). *Health Effects Assessment: Potential Neurobehavioral Effects of Synthetic Food Dyes in Children*. 2021. <https://oehha.ca.gov/media/downloads/risk-assessment/report/health-effects-assessment-041621.pdf>.
- ⁴ NYC Public Schools. *Prohibited Ingredients*. n.d. https://pwsblobnonprd.schools.nyc/stg-pws/docs/default-source/school-menus/prohibitedingredient.pdf?sfvrsn=93d87835_6. Accessed 27 January 2025.
- ⁵ Bailey, M.M. *Synthetic Food dyes: A rainbow of risks*. Center for Science in the Public Interest. Updated 15 April 2024. <https://www.cspinet.org/cspi-news/synthetic-food-dyes-rainbow-risks>. Accessed 4 November 2025.
- ⁶ Kellogg's. *Froot Loops*. n.d. https://www.kelloggs.fr/fr_FR/products/froot-loops.html. Accessed 4 November 2025.
- ⁷ WK Kellogg Co. *Froot Loops*. n.d. <https://www.wkkellogg.ca/en-ca/products/froot-loops-cereal-product.html>. Accessed 4 November 2025.
- ⁸ California School Food Safety Act. Cal. Education Code § 49431 (2024). https://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=202320240AB2316&showamends=false