

# After Ban on Red No. 3, Will Other Food Dyes Be Next? QuickTake

By Anna Edney and Deena Shanker | March 17, 2025 1:39PM ET - Bloomberg



Photographer: Lucia Buricelli/Bloomberg

Processed foods, such as Pop-Tarts made with Red No. 40 food dye, could face added scrutiny from Robert F. Kennedy Jr.'s Health and Human Services Department.

US regulators announced a [ban](#) on Red No. 3 dye in the final days of the Biden administration after decades of concern about potential links to cancer. With Robert F. Kennedy Jr., a critic of food additives, now at the helm of the [Department of Health and Human Services](#), other ingredients and dyes are likely to face scrutiny.

Consumer advocates for years have [pointed to studies](#) that raised questions about the safety of other food colorings, and Kennedy has pledged to make cereal companies remove the dyes from their products in the US. In March, he began acting on that goal, [telling executives](#) of major food companies that he would take action if they failed to remove artificial coloring. There are a number of ways Kennedy could go about implementing his agenda. Here's the latest on how these bans have worked and what HHS could do under President Donald Trump.



Photographer: Lucia Buricelli

Consumers have grown accustomed to the bright colors produced by synthetic dyes.

## Do colorings and other food additives pose health risks?

A study from the early 1980s showed that Red No. 3, which had been widely used since the 1960s in candy and baked goods, caused cancer in some lab rats. Because US law dating to the 1950s prohibits the use of food additives known to cause cancer in humans or animals, the [Food and Drug Administration](#), which is part of HHS, had little choice but to ban the chemical.

The science on the other common food dyes — Blue 1, Blue 2, Green 3, Red 40, Yellow 5 and Yellow 6 — is less definitive, but strong enough for the European Union and California to regulate their use. In 2024, [California banned](#) dyes in food served or sold in public schools after state agencies did a [review](#) in 2021 of available studies and concluded that synthetic colorings can affect neurological behavior in some children. Evidence of carcinogenicity has been found for some of the dyes, while others hadn't been sufficiently studied, according to a 2010 [review of available research](#) by the Center for Science in the Public Interest, a food safety advocacy group. Other states have been considering their own legislation to ban or otherwise restrict the dyes.

These colorants are much discussed for their use in cereals, most recently because of the anti-Kellogg's boycott led by food activists, including [Vani Hari](#), also known by her social media moniker, Food Babe. Hari targets products such as Froot Loops because the cereal, which is marketed to kids, is made using the dyes.

## **If there are questions about other colorings, why are they still being used?**

The primary reason is that they are legal, cheap, and they help companies sell their products to consumers who have grown accustomed to the bright colors.

Some food companies in recent years had been moving away from using Red No. 3, making the FDA ban on the coloring more politically palatable. Any regulatory effort to prohibit some or all chemical food colorings likely will face strong pushback from food manufacturers.

## **Are there other food additives that Kennedy might target?**

In 2022, European regulators [banned](#) the use of titanium dioxide, a chemical that whitens foods, brightens colors and makes candy appear shiny, as a food additive. The ban followed a European Food Safety Commission opinion that nanoparticles of the substance might accumulate in the body, raising concerns about DNA damage.

While titanium dioxide hasn't been banned in the US, at least one prominent food manufacturer, Skittles maker Mars Inc., pledged to stop using the additive in 2016. After being sued in 2022 for still using it, the company removed the chemical from original Skittles and Starburst candies, though it remains in Sour Skittles. In a statement to Bloomberg News in January, the company said its use of the ingredient is "is in compliance with government regulations."





Photographer: Bloomberg

Ruffles Flamin' Hot potato chips, left, and the artificial dye-free Simply Ruffles Hot & Spicy chips.

## What's the process for determining if additives are safe?

In many cases, food companies regulate themselves under a rule known as “Generally Recognized as Safe.” The rule allows the companies themselves to declare that their food additives are safe, while bypassing FDA review. Consumer advocates have been complaining about this process, often referred to as the “GRAS Loophole,” for years, saying it was developed for simple, well-known ingredients, not novel chemical additives.

## Can the self-regulation process be changed?

Kennedy has talked about getting rid of the self-certification loophole, and on March 10 he announced he was [directing](#) the FDA to look into changing the provision. Another route for eliminating self-regulation would be for Congress to act. US Representative [Rosa DeLauro](#), a Connecticut Democrat, introduced the [Toxic Free Food Act in 2024](#) that would do just this, but it's unclear if a divided Congress will focus on the issue.

## What's the process for banning a food additive in the US?

The FDA banned Red No. 3 after consumer groups filed a petition in 2022 asking for the agency to prohibit its use. In 2023, consumer groups sought a similar ban on titanium dioxide, which the FDA could take action on if it wants to make a mark early in Trump's term.

There isn't currently a petition asking the agency to ban other food colorings. The FDA could instead take action against colorings through a rulemaking process; that typically takes years while the agency gathers scientific evidence and public input before making a final decision. In 2024, the FDA said it was setting up a new "post-market chemicals assessment program" that also could look at food colorings. It's unclear whether this program still exists and, if it does, how it might change under Kennedy's leadership. The FDA didn't respond to inquiries about the program.

## Who else in the administration will be looking at this issue?

Kennedy won't be the only official with a say in what food additives the FDA targets. Trump has nominated Marty Makary, a Johns Hopkins University surgeon and public policy researcher, to lead the FDA, and his views on food seem to largely align with Kennedy's. [Kyle Diamantas](#), a food industry lawyer who is also a [friend](#) of Donald Trump Jr., the president's eldest son, has been named acting deputy commissioner for human foods and also is expected to play an important role.

## What do food companies say about dyes and potential bans?

Major dye makers include [Sensient Technologies](#) Corp., Ingredion Inc. and [Archer-Daniels-Midland](#) Co. While ingredient bans and changing consumer preferences could hurt sales of some ingredients, they also present opportunities to sell more natural alternatives. In a memo seen by Bloomberg News, the Consumer Brands Association [told its member CEOs](#) on March 10 that it would talk with HHS staff "about specific expectations they have of the industry and sharing how HHS can help remove roadblocks for the industry to provide solutions."

## How do coloring bans affect food manufacturing costs?

Natural colorings are the likely alternative to targeted chemical dyes. While natural dyes are more expensive than synthetic versions — as much as 10 times as expensive, according to Sensient Chief Executive Officer Paul Manning — the overall impact on food companies' bottom lines would be limited because distribution, marketing and even packaging make up a bigger portion of the price tag than the ingredients of a product. And of all the ingredients, colors are a

very small fraction, said Manning. Many food companies already sell versions of their products without synthetic dyes outside the US, so the changes would align their ingredient lists.