

1 **SENATE FLOOR VERSION**

2 March 3, 2025

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 4

By: Thompson and Seifried of  
the Senate

and

West (Tammy) of the House

8  
9 [ food products - substances - promulgation of rules  
10 - disclosure - violations - fines - codification -  
effective date ]

11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 5-400 of Title 2, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. Notwithstanding any other provision of law, no person, firm,  
17 association, corporation, or any other entity of this state shall  
18 manufacture, compound, brew, distill, produce, process, sell,  
19 deliver, distribute, hold, offer, or expose for sale any of the  
20 following substances as food additives or food color additives or  
21 any other food product beginning on January 15, 2027, or those  
22 additives or color additives used to reformulate ingestible drugs  
23 beginning on January 18, 2028, that contain any of the following  
24 substances:

- 1 1. Aspartame;
  - 2 2. Azodicarbonamide (ADA);
  - 3 3. Blue dye 1;
  - 4 4. Blue dye 2;
  - 5 5. Brominated vegetable oil (BVO);
  - 6 6. Butylated hydroxyanisole (BHA);
  - 7 7. Butylated hydroxytoluene (BHT);
  - 8 8. Ethylene dichloride;
  - 9 9. Green dye 3;
  - 10 10. Methylene chloride;
  - 11 11. Potassium bromate;
  - 12 12. Propyl gallate;
  - 13 13. Propylparaben;
  - 14 14. Red dye 3;
  - 15 15. Red dye 40;
  - 16 16. Sodium benzoate;
  - 17 17. Sodium nitrate;
  - 18 18. Titanium dioxide;
  - 19 19. Trichloroethylene;
  - 20 20. Yellow dye 5; or
  - 21 21. Yellow dye 6.
- 22 B. 1. Upon the effective date of this act, no person, firm,  
23 association, corporation, or any other entity shall manufacture,  
24 compound, brew, distill, produce, process, sell, deliver,

1 distribute, hold, offer, or expose for sale as food additives or  
2 food color additives or any other food product or additives or color  
3 additives used to reformulate ingestible drugs that contain any of  
4 the ingredients provided in subsection A of this section without  
5 disclosing those ingredients on the product label, website, or a  
6 quick response (QR) code on the product label linked to a website.

7 2. No person, firm, association, corporation, or any other  
8 entity shall be considered in compliance with this subsection unless  
9 the product bears a label that states conspicuously a warning to the  
10 consumer that the product contains one or more of the ingredients  
11 provided in subsection A of this section.

12 C. The State Board of Agriculture is authorized to issue a  
13 written or printed "stop-sale" or "notice of violation" order to the  
14 person, firm, association, corporation, or any other entity of a  
15 product in violation of this section.

16 D. 1. The Oklahoma Department of Agriculture, Food, and  
17 Forestry may take one or more of the following actions:

18 a. assess an administrative penalty pursuant to Section  
19 2-18 of Title 2 of the Oklahoma Statutes for each day  
20 of violation. Each day a violation continues shall be  
21 a separate and distinct offense,

22 b. assess an administrative penalty of Five Thousand  
23 Dollars (\$5,000.00) for subsequent violations, or  
24

1 c. bring an action for injunctive relief granted by a  
2 district court.

3 2. A district court may grant injunctive relief to prevent a  
4 violation of, or to compel compliance with, any of the provisions of  
5 this section or any rule promulgated thereunder.

6 3. Nothing in this section shall preclude the Department from  
7 seeking penalties in district court in the maximum amount allowed by  
8 law. The assessment of penalties in an administrative enforcement  
9 proceeding shall not prevent the subsequent assessment by a court of  
10 the maximum criminal penalties for violations of this section.

11 4. Any person assessed an administrative penalty may be  
12 required to pay, in addition to such penalty amount and interest  
13 thereon, attorney fees and costs associated with the collection of  
14 such penalties.

15 5. Any administrative penalty required to be paid pursuant to  
16 the provisions of this subsection shall be deposited into the State  
17 Department of Agriculture Revolving Fund. The expenditure of these  
18 fines shall be limited to conducting the provisions of the Oklahoma  
19 Farm to School Program Act.

20 E. The State Board of Agriculture shall promulgate rules  
21 necessary to implement the provisions of this section.

22 SECTION 2. This act shall become effective November 1, 2025.

23 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND WILDLIFE  
24 March 3, 2025 - DO PASS AS AMENDED BY CS