1 State of Arkansas
2 95th General Assembly

A Bill

3 Regular Session, 2025   SENATE BILL 9
4
5 By: Senator B. Davis
6 By: Representative Pilkington
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE MAKE ARKANSAS HEALTHY AGAIN ACT;
10 TO PROHIBIT A PERSON OR ENTITY FROM MANUFACTURING,
11 SELLING, DELIVERING, DISTRIBUTING, HOLDING, OR
12 OFFERING FOR SALE A FOOD PRODUCT FOR HUMAN
13 CONSUMPTION THAT CONTAINS CERTAIN SUBSTANCES; AND FOR
14 OTHER PURPOSES.
15
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Subtitle

18 TO CREATE THE MAKE ARKANSAS HEALTHY
19 AGAIN ACT; AND TO PROHIBIT
20 MANUFACTURING, SELLING, DELIVERING,
21 DISTRIBUTING, HOLDING, OR OFFERING FOR
22 SALE A FOOD PRODUCT THAT CONTAINS
23 CERTAIN SUBSTANCES.
24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27   SECTION 1. Arkansas Code Title 20, Chapter 57, Subchapter 4, is
28 amended to add an additional section to read as follows:
29   20-57-403. Make Arkansas Healthy Again Act — Prohibited substances in
30 food products.
31   (a) This section shall be known and may be cited as the "Make Arkansas
32 Healthy Again Act".
33   (b) A person or entity shall not manufacture, sell, deliver,
34 distribute, hold, or offer for sale in commerce a food product for human
35 consumption that contains any of the following substances:
36   (1) Potassium bromate, also known as CAS no. 7758-01-2;

1   (2)   Propylparaben, also known as CAS no. 94-13-3; or

2   (3)   Erythrosine or Red No. 3, also known as CAS no. 16423-68-0.

3   (c)   Upon an action brought by the Attorney General, a city attorney, a

4 county attorney, or a prosecuting attorney, a person or entity that violates

5 subsection (b) of this section is liable for a civil penalty not to exceed

6 five thousand dollars ($5,000) for a first violation, and not to exceed ten

7 thousand dollars ($10,000) for each subsequent violation.

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9   SECTION 2.   EFFECTIVE DATE.

10   This act shall be effective on and after January 1, 2027.