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May 15<sup>th</sup>, 2025

Assembly Committee on Education  
Testimony on Assembly Bill 226

Thank you Chairman Kitchens and members of the Assembly Committee on Education for considering Assembly Bill (AB) 226. AB 226 limits food with certain additives to be served at school meals.

There's ongoing research that shows additives in our food changes how our brains work and think. Our educators see firsthand how students' behavior affect their learning. Consumption of synthetic food dyes may lead to ADHD in children. Studies have raised questions about the long-term health effects of food additives. Studies have shown potential links to hormonal disruption, cancer, or behavioral issues. A way to improve our students' behavior is improving the food they eat.

AB 226 aims to improve the nutritional quality of school meals provided at schools by prohibiting foods that contain specific additives considered potentially harmful. These additives include:

- Brominated vegetable oil
  - Brominated vegetable oil is banned in the European Union and Japan. You'll see it in formulations of citrus flavored sodas such as Mountain Dew or Fanta. A high intake has been linked in animal studies to memory loss, skin irritation, and thyroid disruption.
- Potassium bromate
  - Potassium bromate is banned in the European Union, Canada and China. It is still allowed in the U.S. and commonly used at large bakeries that produce bread, rolls and pizza dough. Potassium bromate is a flour that strengthens dough and promotes rising in bread and rolls. Animal studies have shown links to kidney tumors. It has been classified as a possible human carcinogen.
- Propylparaben
  - The European Union restricts combined concentration of parabens in cosmetics and completely banned in food. The FDA considers it generally safe at low amounts in food and cosmetics. It's a chemical preservative in cosmetics and personal-care products. Consumer pressure has driven many cosmetics to be "paraben-free". However in the food industry, it's used to prevent mold and bacterial growth. It is found in baked goods and processed snacks. Studies have detected parabens in human breast tissue raising concerns about long-term exposure links to hormone-driven cancer.
- Azodicarbonamide
  - The European Union and Australia have banned azodicarbonamide. The United States allow 45 parts of additive per million in flour. So, in a cup of flour, you'll have about 5.4 mg which is about 1/16 tsp pinch. You will see azodicarbonamide in mass-produced breads and tortillas as it is a flour-bleaching and dough-condition agent that makes bread lighter and softer. Azodicarbonamide has been linked to cancer in animal studies.
- Red dye 3
  - The European Union permits it under the code E 127 and requires warning label about the possible effects on children. The United States has red dye 3 banned in cosmetics; however, it's

allowed in food. Many studies have shown red dye 3 to contribute to hyperactivity and attention issues in children. You'll see red dye 3 in many foods where the food industry wants to make the food a bright red color such as candies, popsicles and drinks.

These specific additives are either in the process of being banned by the FDA and peer-reviewed studies have found links to adverse side effects if consumed in significant enough amounts. Our school lunches shouldn't be filled with substances that negatively affect our student's health including mental health.

The amendment introduced makes it so all schools -public, private, charter are included and all meals -lunch and breakfast are included making it easier for our school food service employees to follow.

AB 226 approach bypasses the need for federal action while not forcing schools to risk a loss of federal funds to pay for existing school lunch programs. Additionally, because only a select number of chemicals are included in our bill and does not go into effect until July 1, 2027, school districts still have broad flexibility to work with current vendors to provide the food all Wisconsin children need.

Childhood chronic disease, obesity, and pre-diabetes are serious issues for the nation's youth. Reformers are looking to prohibit certain preservatives and food additives in school lunches in an effort to improve youth health. Over 10 states have introduced similar legislation. California was the first state to prohibit six food additives in school lunches. A total of five states have signed their similar bills into law.

Governor Evers declared 2025 the Year of the Kid in his State Address. AB 226 makes positive changes in our children's health while at school. I look forward to the governor signing this bill into law.



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# RACHAEL A. CABRAL-GUEVARA

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STATE SENATOR • 19<sup>TH</sup> SENATE DISTRICT

*Testimony before the Assembly Committee on Education*

*Senator Rachael Cabral-Guevara*

*May 15, 2025*

Hello, members of the Assembly Committee on Education. Thank you for allowing me to provide testimony on Assembly Bill 226, a proposal that will help improve healthy meals for our kids in schools.

According to research, the prevalence of Type 2 Diabetes in children doubled between 2002-03 and 2017-18. During the same time period, the consumption of ultra-processed foods continuously increased. Roughly 60% of the typical adult's diet is made up of ultra-processed foods, and it's even higher for kids at nearly 70%.

Childhood chronic disease, obesity, and pre-diabetes are serious issues for the nation's youth. Reformers are looking to prohibit certain preservatives and food additives in school meals in an effort to improve youth health. In Texas, the legislation bans seven different dyes and additives that are already banned in other first-world nations. In Louisiana, the legislation bans 13 dyes and additives. Last fall, California signed into law a ban on six food additives. Recently, Arizona unanimously passed its legislation that bans 11 different additives.

This is not an effort to prohibit what food manufacturers do, nor does it ban consumers from buying certain foods with their own money. It simply requires schools to make menu selections from vendors that are healthier than food options with these additives and preservatives. Specifically, the five additives that would be banned are: Brominated Vegetable Oil (banned by FDA, enforcement 2025), Potassium Bromate, Propylparaben, Azodicarbonamide, Red dye 3 (banned by FDA, enforcement 2027).

There is no "silver bullet" to solving our nation's obesity crisis, but it is important to take steps to improve our nation's health. Many chemical ingredients banned in other developed nations are still permitted in our school meals, despite scientific evidence linking these substances to be harmful to children's health, including mental health.

These specific additives are either in the process of being banned by the FDA or peer-reviewed studies have found links to adverse side effects if consumed in significant enough amounts. By passing this legislation, we can make our meals healthier sooner, while not putting our state at risk for losing federal funds if standards change in the future. The legislation also gives schools broad flexibility to work with current food vendors to meet the healthy requirements to provide meals to students. Thank you for your time.



May 15, 2025

**Assembly Committee on Education**

**Department of Public Instruction Testimony  
2025 Assembly Bill 226**

I want to thank Chair Kitchens and members of the committee for the opportunity to give testimony on Assembly Bill 226 (AB 226). My name is Kim Vercauteren, Policy Initiatives Advisor of the Division for Finance and Management within the Department of Public Instruction (DPI).

I am here to offer clarifications and to testify in support of AB 226.

DPI believes that nutritious meals are important to students' learning and development and supports the efforts of this bill to ban harmful additives from students' meals. Across the nation, 29 states have taken action to address this problem, by either banning different dyes and food additives altogether or banning them specifically in schools.<sup>1</sup>

The DPI's school nutrition staff see efforts to ban the substances identified under AB 226 as aligning with positive trends in nutrition. With an increased focus on farm-to-school programs and the use of local food, school nutrition programs are helping to improve the nutritional value of meals. Many schools and school nutrition vendors are already committed to providing meals that utilize unprocessed foods, which can be enjoyed without harmful, nutritionally useless additives. These programs not only encourage the use of healthy food, but educate students on healthy lifelong choices.

The DPI also urges support for Assembly Amendment 1 (AA 1), which addresses some of the Department's primary recommendations related to AB 226, namely ensuring its requirements are applicable to all schools and all school meals, not just those served under the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). Measures designed to prevent universal harm should be applied to ensure that all students are protected and that all schools,

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<sup>1</sup> Arizona, Arkansas, Connecticut, Delaware, Florida, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, and West Virginia. Environmental Working Group. *Interactive map: Tracking state food chemical regulation in the U.S.* Accessed: May 14, 2025.  
<https://www.ewg.org/news-insights/news/2025/04/interactive-map-tracking-state-food-chemical-regulation-us>.

and their vendors, are held to a uniform standard.

On the national level, efforts have already been made to limit exposure to food additives. On July 2, 2024, the U.S. Food and Drug Administration (FDA) determined that the use of brominated vegetable oil in food was no longer safe, citing studies conducted in collaboration with the National Institutes of Health (NIH) that found potential adverse health effects in humans.<sup>2</sup> The FDA then announced a ban on red dye 3 on January 15, 2025, citing a petition that referenced studies which indicate high exposure to the dye was linked to cancer in male rats.<sup>3</sup> By expanding on these efforts and focusing on student meals, AB 226 recognizes that greater protection is needed to mitigate any potential harm to Wisconsin's children.

Assembly Bill 226 will not prevent all additives from being consumed in schools. There will still be unhealthy options in vending machines, school stores, and served at concerts and competitions. AB 226 restrictions also do not apply to food that is provided by a private entity or items that do not constitute a school meal. However, we support AB 226 as amended by AA1 because, by ensuring students receive regular school meals with unprocessed, healthy foods, we nurture healthy habits for life.

Thank you for your time and attention. I would be happy to take any questions you have at this time and a copy of our submitted testimony includes an email address ([kimberly.vercauteren@dpi.wi.gov](mailto:kimberly.vercauteren@dpi.wi.gov)) to direct any future questions.

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<sup>2</sup> U.S. Food and Drug Administration. *FDA Revokes Regulation Allowing the Use of Brominated Vegetable Oil (BVO) in Food*. Accessed: May 14, 2025, <https://www.fda.gov/food/hfp-constituent-updates/fda-revokes-regulation-allowing-use-brominated-vegetable-oil-bvo-food>.

<sup>3</sup> U.S. Food and Drug Administration. *FDA to Revoke Authorization for the Use of Red No. 3 in Food and Ingested Drugs*. Accessed: May 14, 2025. <https://www.fda.gov/food/hfp-constituent-updates/fda-revoke-authorization-use-red-no-3-food-and-ingested-drugs#:~:text=3%20as%20a%20matter%20of,a%202022%20color%20additive%20petition>.



Good Morning! My name is Dr. Kathleen Findlay. I am a physician from Baldwin, Wisconsin and am here in support of Assembly Bill 226 that would prohibit harmful, non-nutritive substances in school meal programs.

I have always had an interest in preventing chronic disease. The impact of nutrition became very real to me when I was practicing as a Family Medicine Physician in the United States Army. I was serving as the officer in charge of a troop medical clinic from 2008-2011. This clinic served the basic training population and one of my responsibilities was to recommend separation for those young men and women who did not meet the medical standards to serve. I found myself having to recommend separation for many individuals due to the effects of unhealthy nutrition. This was heartbreaking for me, as these young people had volunteered to serve in our military at a time when they knew they would be going to war. This experience changed the trajectory of my career.

After leaving the Army, I taught Public Health for some time and Nutrition was a big part of this. My interest in understanding how to better prevent chronic disease led me to obtain board certification in Integrative Medicine and Lifestyle Medicine. I now practice Lifestyle Medicine exclusively, working with patients to make sustainable change to improve their health. Over the last 5 years, I have worked with a team at Western Wisconsin Health in Baldwin to create a Lifestyle Medicine program that supports all patients. As the only program of this type in the region, we have supported over 300 patients to make sustainable change. I am privileged to have both a Health and Wellness coach and Dietitian on my team, both who agree



wholeheartedly that nutrition is fundamental to good health and Food is Medicine! For proper nutrition, we need to consume real food—those things that grow on plants and are in a natural form, such as fruits and vegetables, nuts and seeds, whole grains, and beans. The more we diverge from whole food, plant-forward nutrition, the worse health outcomes we see. The use of substances to make food items more appealing only serves to decrease the amount of real food in the item and detracts from nutritional value. The substances that this bill proposes banning have already been banned by other countries as well as some states in the US. There is compelling evidence of harmful health side effects from these additives. The bottom line is that none of them provide or enhance nutritional value of food. My pediatric colleagues see an exacerbation of ADHD symptoms with certain additives and counsel families on this.

The school lunch program should provide nutritionally balanced lunches to children. Including items with non-nutritive additives detracts from this by producing undesired effects in the nervous system, endocrine system and can even cause harm to the developing bodies and minds of schoolchildren. This has downstream effects on school success, future productivity and health of these children. I urge you to support Assembly Bill 226 to develop healthy, educated kids!



**TO: Assembly Committee on Education**

**FROM: Paul Rozeski, Director of Government Affairs & Member Relations, WPT**

**Date: May 15, 2025**

**RE: Assembly Bill 226 - Relating to: School lunch**

Good morning, Chairman Kitchens, Vice Chair Goeben, and members of the committee. Thank you for allowing me to share this testimony in favor of Assembly Bill 226 on behalf of the members of the Wisconsin Property Taxpayers.

On behalf of the thousands of members throughout Wisconsin, we strongly support this legislation that supports the long term success of Wisconsin on many levels. Two of the additives in the bill are already scheduled to be banned and multiple others are already banned in other first world nations because every one of them are linked to increased instances of cancer and other co-morbidity health issues. In formative and developmental years, introducing components like this it becomes part of the foundation of a person's physiology, and the possibility of cumulative long term effects, and while these components may continue to be present in personal diets, taxpayer dollars do not need to contribute to this potential threat.

Allowing taxpayer dollars to be spent on food and ingredients that can contribute to the increased commitment of taxpayer dollars on BadgerCare and the high cost treatments of cancer and other contributing co-morbidities that burden the healthcare system is a double whammy that this doesn't fix, but it is a step in the right direction. In this building, I often hear the value and desire of putting "guidrails on the highway", and that is exactly what this represents. It is a slight and simple limitation to help improve the offerings in the system we are funding.

If there is a concern that it will increase the burden and cost for schools and school districts, it is an adjustment and burden that I think will be easily accomplished, because it is the suppliers that can adjust the quickest with possible alternatives. Whoever can provide alternative options with competitive pricing will earn more business, even if prime vendor contracts are in place, because the solutions can come from multiple places.

We encourage your support. Thank you for the opportunity to speak today.

Wisconsin Property Taxpayers is comprised of thousands of small businesses, farms, and homeowners throughout Wisconsin. Founded in 1985, the organization committed to providing its members with up-to-date information, legislative advocacy, and exclusive cost-saving benefits.

**Paul Rozeski**

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**Feeding Bodies. Fueling Minds.™**

**TO:** Members of the Assembly Committee on Education

**FROM:** Nathan Butzlaff, School Nutrition Association of Wisconsin, Government Relations Representative

**DATE:** May 15, 2025

**RE:** Assembly Bill 226 (Relating to: prohibiting schools from providing food containing certain ingredients in free or reduced-price meals.)

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The School Nutrition Association of Wisconsin (SNA-WI) represents over 900 school nutrition professionals who provide high-quality, low-cost meals to students across Wisconsin. SNA-WI and our members recognize that healthy eating behaviors support better learning, and school nutrition programs help fight hunger, promote healthy eating habits and allow students to reach their full potential. This testimony is being submitted for information purposes only.

SNA-WI greatly appreciates legislators looking out for the well-being of all students across the state by introducing this bill. Our organization supports the removal of the ingredients listed in the bill from school meals served to every child. We would also like to note that a significant majority of K-12 school food in Wisconsin has already been shown to be free from the identified ingredients in this bill and has been for a number of years.

As introduced, this bill only applied to ingredients in school meals that were served to K-12 students in public and charter schools who received a free or reduced-price meal under the national school lunch program and the federal school breakfast program. As such, SNA-WI had concerns about the originally introduced bill, including the fact that it would have made it challenging for school nutrition programs to comply with it as it did not apply to meals served to all students.

Our organization expressed concerns to the bill authors – Senator Cabral-Guevara and Representative Moses. We appreciate the willingness of the bill authors to work with our organization and ultimately introduce an amendment to ensure that the bill is more equitable and more straightforward to implement. In particular, amendment one, as introduced, removes the ingredients listed in this bill from all K-12 school meals. Therefore, as amended, the bill would apply to all students who receive a school meal, not just students who receive a free or reduced-price meal. In addition, the amendment would apply to K-12 school meals, regardless of whether the student attends a public, charter, or private school.

If you have any questions, please don't hesitate to contact me ([nathan@hovenconsulting.com](mailto:nathan@hovenconsulting.com)) or Tim Hoven ([tim@hovenconsulting.com](mailto:tim@hovenconsulting.com)).

Dear Representative Kitchens, Representative Goeben, and members of the Committee on Education. My name is Anneka Bengston, and I'm here today to speak in favor of AB 226. I've actually never experienced a school lunch firsthand, as I was homeschooled. But I've become pretty aware of the ingredients that often end up in our food supply, and that includes those really bright colors we call food coloring that are prevalent in school lunches.

I get it, that electric blue sports drink or intensely red candy looks really tempting. But if you just take a moment, you start to wonder, where do those colors *actually* come from? It's not like there's a magical berry patch out there growing neon shades. Nope, a lot of those super intense colors are actually manufactured chemicals.

And this is where my real concern kicks in, especially when we're talking about what kids are eating during their school day. There's a growing amount of scientific research that's raising some serious red flags about the safety of these chemicals, particularly for young people who are still developing. I've seen studies that link dyes like Red 40 to potential DNA damage. There is also evidence suggesting these artificial dyes can mess with cognitive function and might even be connected to attention issues like ADHD.

And it's not just the dyes, either. There are other questionable things floating around in processed foods. Take titanium dioxide, for example – it's used to make things look whiter. It's already been banned in some other countries because of potential links to cancer in certain studies. It really makes you think twice about what kids might be eating.

It's honestly a bit unsettling to realize that substances with potential health risks are so common in our food. Kids should be able to trust that the food available to them at school is focused on their well-being. But when you start looking closely at those ingredient lists, it doesn't always feel that way.

The good news is, there's a movement building. Some organizations are really pushing for more transparency and even for getting rid of some of the most concerning additives. They're not necessarily asking for a complete overhaul, just the removal of the ingredients that raise the biggest alarms. And what's encouraging is that it doesn't have to cost manufacturers a fortune to choose safer alternatives.

Kids are at a stage in their lives where their health and energy are so important for learning and growing. How can they really thrive if they're regularly eating things that might be negatively impacting their bodies and their minds?

For my family and me, limiting artificial food coloring is a big priority. It's a conscious choice we've made to support our health. But it shouldn't have to be some special decision that only some families make. Shouldn't every student have access to food options at school that aren't loaded with potentially harmful chemicals?

Ultimately, it's up to all of us to be more aware of what we're eating, and what kids are eating. We need to ask questions, do our own research, and support efforts that push for safer and healthier food for everyone. Our health matters, our futures matter, and the choices we make about food play a huge role in shaping that. Thank you for your time.

**From:** Stephanie Kirmse <[staffie\\_19@yahoo.com](mailto:staffie_19@yahoo.com)>

**Sent:** Wednesday, May 14, 2025 2:39 PM

**To:** Rep.Goeben <[Rep.Goeben@legis.wisconsin.gov](mailto:Rep.Goeben@legis.wisconsin.gov)>; Rep.Kitchens <[Rep.Kitchens@legis.wisconsin.gov](mailto:Rep.Kitchens@legis.wisconsin.gov)>; Rep.Mursau <[Rep.Mursau@legis.wisconsin.gov](mailto:Rep.Mursau@legis.wisconsin.gov)>; Rep.Duchow <[Rep.Duchow@legis.wisconsin.gov](mailto:Rep.Duchow@legis.wisconsin.gov)>; Rep.Snyder <[Rep.Snyder@legis.wisconsin.gov](mailto:Rep.Snyder@legis.wisconsin.gov)>; Rep.Dittrich <[Rep.Dittrich@legis.wisconsin.gov](mailto:Rep.Dittrich@legis.wisconsin.gov)>; Rep.Penterman <[Rep.Penterman@legis.wisconsin.gov](mailto:Rep.Penterman@legis.wisconsin.gov)>; Rep.Melotik <[Rep.Melotik@legis.wisconsin.gov](mailto:Rep.Melotik@legis.wisconsin.gov)>; Rep.Brill <[Rep.Brill@legis.wisconsin.gov](mailto:Rep.Brill@legis.wisconsin.gov)>; Rep.Hong <[Rep.Hong@legis.wisconsin.gov](mailto:Rep.Hong@legis.wisconsin.gov)>; Rep.Cruz <[Rep.Cruz@legis.wisconsin.gov](mailto:Rep.Cruz@legis.wisconsin.gov)>; Rep.Phelps <[Rep.Phelps@legis.wisconsin.gov](mailto:Rep.Phelps@legis.wisconsin.gov)>; Rep.Sheehan <[Rep.Sheehan@legis.wisconsin.gov](mailto:Rep.Sheehan@legis.wisconsin.gov)>

**Subject:** Assembly Bill (AB) 226 / Senate Bill (SB) 228

in regards to Assembly Bill (AB) 226 / Senate Bill (SB) 228:

PLEASE consider passing this bill to prohibit schools from providing food that contains brominated vegetable oil, potassium bromate, propylparaben, azodicarbonamide, or red dye 3 to pupils as part of free or reduced-price meals provided under the National School Lunch Program or the federal School Breakfast Program.

I have a child who is diagnosed with autism and I am only able to control so much of the toxic load she encounters everyday. She refuses to eat a cold lunch from home and I have an extremely hard time giving her the autonomy to choose hot lunch from school knowing how unhealthy it is.

Removing some of these toxic ingredients from the school system would be an incredible first step in the right direction. As a mom it's so much pressure and stress to worry about it all and if school was able to clean things up a bit it would alleviate some of that stress.

Lets make America Healthy again, PLEASE!!!!

Thank you,  
Stephanie Thomas  
5305 County Road N  
Pickett, WI 54964