

Senators Propose Bill to Eliminate Self-Affirmed GRAS

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- On November 21, 2023, Senators Edward J Markey and Senator Cory Booker [introduced](#) the *Ensuring Safe and Toxic-Free Foods Act*, which would end the legal entitlement to market foods based on a self-determined generally recognized as safe (GRAS) position and would instead require notification to FDA and provision of supporting information. Currently, the GRAS Notification program is completely voluntary.
- The bill would also:
 - Require that the notice and supporting information be available on FDA's website and subject to public comment for 90 days.
 - Prohibit carcinogenic substance from receiving GRAS designation (this is already prohibited by the Federal Food, Drug, and Cosmetic Act).
 - Prohibit substances that show evidence of reproductive or developmental toxicity from receiving GRAS designations.
 - Prohibit people with conflicts of interest from serving as experts in reviewing and evaluating scientific data with regard to GRAS designations.
 - Create a new office within the FDA which would reassess whether existing food additives, food contact substances, color additives, and GRAS substances are safe, and establish a new committee to advise on standards, processes, and methods necessary for reassessment of substances.
- The full text of the bill does yet appear to be available online, but [virtually identical legislation](#) under the same name was introduced in

2022. While the likelihood of passage is uncertain, we will continue to monitor and report on updates to this legislation.

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National Law Review, Volumess XIII, Number 332

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