



MAHA, New Regulations, and What it Means for Clean Label Tortilla Production

Matt Buss, TIA Conference, April 2026

The MAHA Era of Clean Label

- **Federal Led Initiatives**
 - Petroleum Based Dye Phase Out
 - Moving Away From GRAS-Self Affirmation
 - Focus on Ultra Processed Foods
- **Industry and State Led Initiatives**
 - Retailers Banning Ingredients
 - Status of State Legislation
- **Tortilla Industry Impact**

Federal Led Initiatives

Petroleum Based Dye Phase Out

FDA to Revoke Authorization for the Use of Red No. 3 in Food and Ingested Drugs

Constituent Update

January 15, 2025

The FDA is **revoking the authorization for the use of FD&C Red No. 3** as a matter of law, based on the [Delaney Clause](#) of the [Federal Food, Drug, and Cosmetic Act \(FD&C Act\)](#). The FDA is [amending its color additive regulations](#) to no longer allow for the use of FD&C Red No. 3 in food and ingested drugs in response to a 2022 [color additive petition](#). The petition requested the agency review whether the Delaney Clause applied and cited, among other data and information, **two studies that showed cancer in laboratory male rats exposed to high levels of FD&C Red No. 3** due to a rat specific hormonal mechanism. The way that FD&C Red No. 3 causes cancer in male rats does not occur in humans. Relevant exposure levels to FD&C Red No. 3 for humans are typically much lower than those that cause the effects shown in male rats. **Studies in other animals and in humans did not show these effects; claims that the use of FD&C Red No. 3 in food and in ingested drugs puts people at risk are not supported by the available scientific information.**

Petroleum Based Dye Phase Out



- In January 2025, the FDA officially revoked the authorization for FD&C Red No. 3 in food and ingested drugs. This marks the first major synthetic dye to be federally prohibited since the inception of the MAHA initiative.
- Subsequently, in April 2025, the FDA released a plan to phase out Petroleum Based Dyes completely.

FDA NEWS RELEASE

HHS, FDA to Phase Out Petroleum-Based Synthetic Dyes in Nation's Food Supply

For Immediate Release: April 22, 2025

Petroleum Based Dye Phase Out

The FDA is taking the following actions:

1. **Establishing a national standard and timeline** for the food industry to transition from petrochemical-based dyes to natural alternatives.
2. **Initiating the process to revoke authorization** for two synthetic food colorings—Citrus Red No. 2 and Orange B—within the coming months.
3. **Working with industry to eliminate six remaining synthetic dyes**—FD&C Green No. 3, FD&C Red No. 40, FD&C Yellow No. 5, FD&C Yellow No. 6, FD&C Blue No. 1, and FD&C Blue No. 2—from the food supply by the end of next year.
4. **Authorizing four new natural color additives**, while also accelerating the review and approval of others.
5. **Partnering with the National Institutes of Health (NIH)** to conduct comprehensive research on how food additives impact children’s health and development.
6. **Requesting food companies to remove FD&C Red No. 3** sooner than the 2027-2028 deadline previously required.

Petroleum Based Dye Phase Out

Letter to the Food Industry on “No Artificial Colors” Labeling Claims

- February 5, 2026

FDA intends to exercise enforcement discretion as to section 403(a)(1) of the FD&C Act should a firm use certain voluntary labeling claims on foods intended for human consumption that do not contain any FD&C Act certified colors. **This means that FDA does not intend to take enforcement action against a firm under section 403(a)(1) of the FD&C Act should the firm make one of the voluntary labeling claims listed below** on foods intended for human consumption that do not contain any colors listed in 21 CFR part 74:

- **Made without artificial food colors/colorings**
- **No artificial color/colors/coloring**
- **No added artificial color/colors/coloring**

Petroleum Based Dye Phase Out

Summary

- The FDA HAS NOT implemented a legal ban of artificial dyes (yet). The movement is currently being encouraged by the FDA with strong industry support
- The FDA has acted to facilitate the transition to natural colors by:
 - Showing the industry it can and will revoke the safe status of artificial dyes (red #3)
 - Providing guidance for front of pack claims that encourage the removal of artificial colors
 - Fast tracking approval of new natural colors

Moving Away From GRAS-Self Affirmation

Movement Away from GRAS Self Affirmation

Currently, the FDA allows companies to self affirm GRAS (Substances Generally Recognized as Safe). This process allows companies to maintain some proprietary information about their ingredients and speed up the time to market for new products. This process still requires an expert review and validation.

In 2025, the HHS and FDA released a statement regarding the future of the GRAS Program

“For far too long, ingredient manufacturers and sponsors have exploited a loophole that has allowed new ingredients and chemicals, often with unknown safety data, to be introduced into the U.S. food supply without notification to the FDA or the public.”

- HHS Secretary Robert F. Kennedy, Jr.

Movement Away from GRAS Self Affirmation

Eliminating the self-affirmation process would require companies seeking to introduce new ingredients in foods to publicly notify the FDA of their intended use of such ingredients, along with associated safety data, before they are introduced in the food supply.

This legislation could face significant legal hurdles, but if implemented, we are likely to see:

- Mandatory notification for all GRAS substances
- Creation of a definitive federal GRAS list
- Possible reassessment of existing ingredients

This could mean slower approvals of new ingredients, but also more transparency for citizens and clarity for the food industry.

Focus on Ultra Processed Foods

Focus on Ultra Processed Foods

"We must act boldly to eliminate the root causes of chronic illness and improve the health of our food supply. Defining ultra-processed foods with a clear, uniform standard will empower us even more to Make America Healthy Again."

- HHS Secretary Robert F. Kennedy, Jr.



Focus on Ultra Processed Foods

- **1. Defining "Ultra-Processed"**
 - The most significant hurdle to legislation is a lack of a legal definition of Ultra Processed.
 - One of the agency's top focuses for 2026 is establishing a standard that distinguishes "processed" (like frozen spinach) from "ultra-processed" (industrial formulations with additives not used in home kitchens).
- **2. Labeling to help consumers identify UPFs**
 - The FDA is currently working on Front-of-Package labeling rules.
 - FOP labeling may require symbols on the front of packaging to highlight high levels of added sugars, sodium, and saturated fats
 - The FDA is also reassessing the voluntary "healthy" claim on labels to ensure it aligns with the newest Dietary Guidelines. This will include a new logo, similar to the organic logo.

Federal Initiative Impacts

Tortilla Industry Impact

- The Federal mandate to remove Red #3 is likely not a big issue for the industry, but other synthetic color bans would be disruptive. Consider taking advantage of “No artificial color” labeling claims.
- Future changes to GRAS laws are still uncertain. Ensure any new ingredients have sound expert review and validation that is likely to stand up to future review.
- UPF labeling could have significant impacts. Future “Front of Pack” labeling requirements may prompt many producers to reformulate, especially for retail products. This is especially likely for sugar, sodium, and unhealthy fats. Ensure you or your suppliers are experienced in formulating to specific nutritional targets.

Industry and State Led Initiatives

State and Industry Led Initiatives



**Food Ingredient Quality
Standards**

TRADER JOE'S

State and Industry Led Initiatives



[Home](#) > [News](#) > Walmart U.S. Moves To Eliminate Synthetic Dyes Across All Private Brand Food Products

Walmart U.S. Moves To Eliminate Synthetic Dyes Across All Private Brand Food Products

The retailer also intends to eliminate an additional 30 ingredients.

Key Insights

- Walmart is removing synthetic dyes and more than 30 other ingredients — like certain preservatives, artificial sweeteners and fat substitutes — from its U.S. private brand foods, including Great Value, Marketside, Freshness Guaranteed and bettergoods.
- Customers will still get the same great taste and value, with high quality options they can feel good about feeding their families.

Oct. 1, 2025

5 Min. Read

[Business](#)



- **Walmart U.S. is eliminating 11 synthetic dyes from all private brand food products.**
- **In addition to dyes, 30 ingredients are also being removed from Walmart U.S. private brand foods including lye and parabens.**

State and Industry Led Initiatives

ALDI Eliminating an Additional 44 Ingredients from Private Label Food Assortment by the End of 2027

ALDI, one of the first national grocers to remove certified synthetic colors from its private labels, expands ingredient standards to reinforce its commitment to offering trusted products at the low prices shoppers expect

Key Insights:

- ALDI will eliminate 44 more ingredients from its private label food assortment by December 2027, increasing its restricted ingredient list from 13 to 57.
- This builds on the grocer's removal of certified synthetic colors from all ALDI-exclusive products over 10 years ago.
- The reformulated products will roll out through 2027, maintaining the same low prices shoppers expect, with updated ingredient information clearly displayed on packaging.

BATAVIA, Ill., April 22, 2026 – ALDI, America's fastest-growing grocer, announced today it is expanding its ingredient standards by removing an additional 44 ingredients from its private label food, vitamin and supplement products, including select artificial preservatives, colors, flavors, and sweeteners. This move deepens its long-standing commitment to providing shoppers with products they can feel good about adding to their carts.

- **Aldi famously added synthetic dyes to its banned ingredient list in 2015**
- **In addition to synthetic dyes, many ingredients commonly used in tortillas are now being added to that list including: Sodium Aluminum Sulfate, Sodium Aluminum Phosphate, Calcium Propionate, Sodium Hydroxide...**

State and Industry Led Initiatives

- State Lawmakers are already outpacing Federal Regulation
- Many states are starting with school food program ingredient bans and SNAP benefit restrictions followed by larger scale retail bans
- While several states including California and New York have passed laws, there is currently legal push back in West Virginia and Texas, with legislation temporarily blocked
- It is likely that statewide bans will be well on their way to implementation before the FDA provides official ingredient regulation.

Notable State and Industry Led Initiatives

- **Texas Retail Label**

- “WARNING: This product contains an ingredient that is not recommended for human consumption by the appropriate authority in Australia, Canada, the European Union, or the United Kingdom.”
- SB 25, which requires this specific warning label for products containing any of 44 targeted ingredients (including bleached flour and certain preservatives) was found to violate the First Amendment by compelling government-scripted speech.

- **West Virginia Retail Ban**

- In December 2025, a U.S. District Court granted a preliminary injunction that halted the enforcement of the retail portion of the law.
- The "Vagueness" Ruling: The court agreed with the International Association of Color Manufacturers (IACM) that the law was unconstitutionally vague. Specifically, the state failed to define the terms "poisonous and injurious" or provide a clear standard for how other substances might be added to the banned list in the future

Notable State and Industry Led Initiatives

Common Themes of State Led Initiatives and Tortilla Industry Impact

- **School Lunch Program bans seem likely to stay. Wider bans face more challenges**
- **Synthetic Dye Bans**
 - Natural replacements are getting better, but are typically more expensive and can often be prone to degradation in processing and storage
- **Methyl paraben and Propyl paraben Bans**
 - Often used in corn tortillas, especially high lime versions as a preservative. No direct replacement
- **Synthetic Preservatives – Calcium Propionate and Sorbic Acid**
 - Naturally produced versions of these preservatives are available and work well, but are typically more expensive
- **Bleached Flour**
 - Often used to make tortillas whiter. No true alternative exists
- **Interesterified Palm Oil**
 - Balance alternative fats esp. fully hydrogenated oils with emulsifiers that help prevent sticking
- **Lye**
 - Neutralize pH with lime or carbonates
- **Sodium Aluminum Sulfate (SAS)**
 - Non aluminum alternatives exist and can be equally effective, but are typically more expensive

