

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2654**

By Delegates Brooks and Green

[Introduced February 20, 2025; referred to the  
Committee on Health and Human Resources then the  
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
 2 designated §19-40-1, relating to the Food Safety Act of 2025; prohibiting persons or  
 3 entities from offering for human consumption food products that contain certain  
 4 substances; and establishing civil penalties for violation of section.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 40. FOOD SAFETY ACT OF 2025.**

**§19-40-1. Prohibited substances in food products; penalties.**

1 (a) Commencing January 1, 2027, a person or entity shall not manufacture, sell, deliver,  
 2 distribute, hold, or offer for sale, in commerce a food product for human consumption that contains  
 3 any of the following substances:

- 4 (1) Potassium bromate; and
- 5 (2) Propylparaben.

6 (b) (1) Upon an action brought by the Attorney General, a municipal attorney, or a  
 7 prosecuting attorney, a person or entity that violates subsection (a) of this section shall be liable for  
 8 a civil penalty not to exceed \$5,000 for a first violation, and not to exceed \$10,000 for each  
 9 subsequent violation.

10 (2) This section does not impair or impede any other rights, causes of action, claims, or  
 11 defenses available under any other law. The remedies provided in this section are cumulative with  
 12 any other remedies available under any other law.

NOTE: The purpose of this bill is to create the Food Safety Act of 2025, prohibiting persons or entities from offering for human consumption food products that contain certain substances; and establishing civil penalties for violation.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.