

HB 4852 -- Redline

Committee Substitute to Committee Substitute -- Relating to regulation of foods

Deletions ~~struck~~ · Insertions underlined

WEST VIRGINIA LEGISLATURE REGULAR SESSION ENGROSSED Committee Substitute for House Bill 4852 By Delegates Worrell and Burkhammer [Originating in the Committee on Health and Human Resources; Reported on February 9, 2026] Eng Com Sub for HB 4852 A BILL to amend and reenact Sec.16-7-2 and Sec.16-7-4 of the Code of West Virginia, 1931, as amended, and to amend said code by adding thereto a new section designated, Sec.16-7-12;

Provided, That nothing in this paragraph shall be construed to apply to the dispensing of prescriptions written by regular licensed practicing physicians, veterinary surgeons, or dentists, and kept on file by the dispensing Eng Com Sub for HB 4852 pharmacist, nor to such drugs as are recognized in the United States Pharmacopoeia and the National Formulary, which are sold under the name by which they are recognized.

Provided, That the provisions of this article do not apply to mixtures or compounds recognized as ordinary articles or ingredients of articles of food or drink, if each and every package sold or offered for sale is distinctly labeled in words of the English language as mixtures or compounds, with the name and percent of each Eng Com Sub for HB 4852 ingredient therein;

Eng Com Sub for HB 4852 (a) The following additives are not permitted as an ingredient in food, as defined in section ~~2~~-16-7-1 of this chapter, that is manufactured on or after January 1, ~~2028~~, 2028:

(1) ~~AA~~ food manufactured prior to January 1, 2028.

and (2) ~~to~~To any person who offers for sale, or sells, within this state, less than \$5,000, in aggregate, of food, per month, when the food contains the additives provided in Sec.16-7-12(a).