



Unapproved Additives: What Food Service Operators Need to Know

Additives are ingredients added to any consumable product. Some additives are unapproved and are not Generally Recognized as Safe (GRAS) per U.S. Food and Drug Administration (FDA). Therefore, if any unapproved additives are mixed with any consumable product, Southern Nevada Health District (SNHD) considers the product adulterated and it must not be sold/served to the public.

The following additives are either **approved** ✓ or **not approved** ✗ to be sold/served to the public in the form of dietary supplement and/or food.

CBD (CANNABIDIOL)

✗ Dietary Supplement ✗ Food

The following link provides the most recent information regarding the FDA and CBD which states “It is currently illegal to market CBD by adding it to a food or labeling it as a dietary supplement”: [\(What You Need to Know \(And What We’re Working to Find Out\) About Products Containing Cannabis or Cannabis-derived Compounds, Including CBD | FDA\)](#)

KRATOM (*Mitragyna speciosa*)

✗ Dietary Supplement ✗ Food

The following link provides the most recent information regarding the FDA and kratom which states “kratom is not lawfully marketed in the U.S. as a drug product, a dietary supplement, or a food additive in conventional food”: [FDA and Kratom | FDA.](#)

KAVA (*Piper methysticum*)

✓ Dietary Supplement* ✗ Food

More information concerning kava in food and potential health effects can be found at: [Scientific Memorandum: Kava \(8/11/2020\).](#)

CHARCOAL (CARBON, ACTIVATED CARBON & ACTIVATED CHARCOAL)

✓ Dietary Supplement* ✗ Food

When substances such as activated charcoal are added to food, it imparts color and meets the statutory definition of a color additive under the FD&C Act. Per the FDA, charcoal is an unapproved food color additive and food containing charcoal is adulterated under section 402(c) FD&C Act. A list of approved color additives can be found at: <https://www.fda.gov/industry/color-additive-inventories/color-additive-status-list>.

*The FDA allows this product as a dietary supplement AND also considers it an unapproved food additive. As such, it can be sold as a supplement in commercially packaged form but cannot be added as an ingredient to a food product.