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FISCAL IMPACT REPORT

SPONSOR Ortiz y Pino **ORIGINAL DATE** 2/07/06
LAST UPDATED _____ **HB** _____
SHORT TITLE Ban Aspartame in Food Products **SB** 654
ANALYST McOlash

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY06	FY07		
	\$100.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to: HB 2002, SB 250

SOURCES OF INFORMATION

LFC Files

<http://en.wikipedia.org/wiki/Aspartame>

Responses Received From

NM Board of Pharmacy (NMBP)

Public Education Department (PED)

SUMMARY

Synopsis of Bill

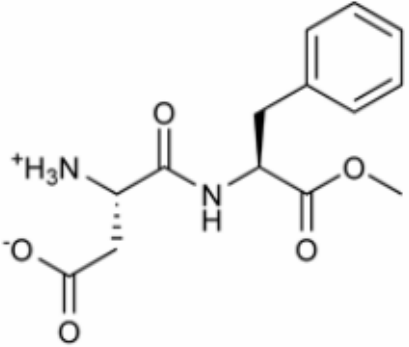
Senate Bill enacts new legislation and amends statute to ban the future use of aspartame in food products. The bill appropriates \$100,000 from the General Fund to the Office of the Attorney General for expenditure in FY 2007 to enforce the provisions enacted under SB 654.

Provisions of SB 654 would not apply to food products located within the state on July 1, 2006

SIGNIFICANT ISSUES

The information shown below was taken from Wikipedia, the free encyclopedia

Aspartame is the name for an artificial, non-[carbohydrate sweetener](#), *aspartyl-phenylalanine-1-methyl ester*; i.e. the methyl [ester](#) of the [dipeptide](#) of the [amino acids](#) [aspartic acid](#) and [phenylalanine](#). It is marketed under a number of trademark names, such as [NutraSweet](#), [Equal](#), and [Canderel](#) and is an ingredient of approximately 5,000 consumer foods and beverages sold worldwide. It is commonly used in diet [soft drinks](#) and is often provided as a table condiment. It is also used in some brands of chewable vitamin supplements. However, aspartame is not always suitable for baking, because it often breaks down when heated and loses much of its sweetness. In the European Union it is also known under the [E number](#) (additive code) **E951**. Aspartame is also one of the sugar substitutes used by [diabetics](#).

spartame	
Chemical name	N-L- α -aspartyl-L-phenylalanine 1-methyl ester
Chemical formula	C ₁₄ H ₁₈ N ₂ O ₅
Molecular mass	294.30 g/mol
Melting point	246 - 247 °C
CAS number	22839-47-0
SMILES	[NH3+][C@@H](CC([O-])=O)C(N[C@@H](CC1=CC=CC=C1)C(OC)=O)=O
	

Aspartame has been the subject of a vigorous public controversy regarding its safety and the circumstances around its approval. It is well-known that aspartame contains the naturally occurring amino acid [phenylalanine](#), which is a health hazard to the few people born with [phenylketonuria](#), a genetic intolerance of phenylalanine. A few studies have also recommended further investigation into possible connections between aspartame and diseases such as [brain tumors](#), [brain lesions](#), and [lymphoma](#), but no large-scale studies have been conducted. These possibilities, combined with notable conflicts of interest in the approval process, have engendered vocal activism regarding the legitimate risks of aspartame as well as some less credible theories.

The FDA receives more complaints related to aspartame than any other food additive. While it is well-known that aspartame contains [phenylalanine](#) and is unsafe for those born with [phenylketonuria](#), some believe that aspartame can be implicated in other public health issues. Some of these contentions are backed by reputable scientific research, while others depend heavily on anecdotal evidence and layman's interpretations of chemistry.

Concerns about aspartame frequently revolve around symptoms and health conditions that are allegedly caused by the sweetener. The 92 health effects reported to the FDA are: [abdominal pain](#), [anxiety attacks](#), [arthritis](#), [asthma](#), asthmatic reactions, bloating/[edema](#), blood sugar control problems ([hypoglycemia](#) or [hyperglycemia](#)), [brain cancer](#) (Pre-approval studies in animals), breathing difficulties, burning eyes or throat, burning [urination](#), inability to think clearly, [chest pains](#), [chronic cough](#), [chronic fatigue](#), confusion, death, [depression](#), [diarrhea](#), dizziness, excessive thirst or hunger, fatigue, feeling 'unreal', flushing of face, hair loss (baldness) or thinning of hair, headaches/migraines, hearing loss, heart palpitations, hives (Urticaria), hypertension (high blood pressure), impotency and sexual problems, inability to concentrate, infection susceptibility, insomnia, irritability, itching, joint pains, laryngitis, "like thinking in a fog," marked personality

changes, memory loss, menstrual problems or changes, muscle spasms, nausea or vomiting, numbness or tingling of extremities, other allergic-like reactions, panic attacks, phobias, poor memory, rapid heartbeat, rashes, seizures and convulsions, slurring of speech, swallowing pain, tachycardia, tremors, tinnitus, vertigo, vision loss, and weight gain. ^[2]

Questions have been raised about [brain cancer](#), [lymphoma](#), and [genotoxic](#) effects such as [DNA](#)-protein crosslinks, but these questions are primarily not based on reported case histories.

RELATIONSHIP

HB 202 is similar in intent without an appropriation.

SB 250 is a duplicate in content, again without an appropriation.

BMC/yr