

HB0402S03 compared with HB0402

~~{Omitted text}~~ shows text that was in HB0402 but was omitted in HB0402S03

inserted text shows text that was not in HB0402 but was inserted into HB0402S03

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Foods ~~{Available at Schools Amendments}~~ Additives in Schools

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kristen Chevrier

Senate Sponsor: Heidi Balderree

LONG TITLE

General Description:

This bill enacts provisions to prohibit consumable items containing certain food additives from being ~~{served}~~ provided in a public school.

Highlighted Provisions:

This bill:

- defines terms;
- enacts provisions to prohibit consumable items containing certain food additives from being ~~{served}~~ provided in a public school under certain circumstances; and
- provides ~~{an exception}~~ exceptions.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

ENACTS:

53G-9-205.2 , Utah Code Annotated 1953 , Utah Code Annotated 1953

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Be it enacted by the Legislature of the state of Utah:

Section 1. Section 1 is enacted to read:

53G-9-205.2. Definitions -- Prohibited food additives -- Exceptions.

(1) As used in this section:

(a) "FDC" means the Federal Food, Drug, and Cosmetics Act, 21 C.F.R. Part 74.

~~{(a)}~~ (b) "Public school" means the same as that term is defined in Section 53G-9-205.1.

~~{(b)}~~ (c) "School day" means the {portion of a day that school is in session in which a school-age child
} same as that terms is {required to be in school for purposes of receiving instruction} defined in
Section 53G-6-201.

~~{(c)}~~ {"Ultraprocessed food" means a food or beverage that contains one or more of the following
ingredients:}-}

~~{(i)}~~ {brominated vegetable oil;-}

(2)

(a) Beginning in the 2026-2027 school year, a public school may not sell, donate, offer, or serve on
school grounds during the school day, food that contains:

~~{(ii)}~~ (i) potassium bromate;

~~{(iii)}~~ (ii) propylparaben;

~~{(iv)}~~ {titanium dioxide;-}

~~{(v)}~~ (iii) {blue dye} FDC Blue No. 1;

~~{(vi)}~~ (iv) {blue dye} FDC Blue No. 2;

(v) FDC Green No. 3;

~~{(vii)}~~ (vi) {green dye} FDC Red No. 3;

~~{(viii)}~~ {red dye 3;-}

~~{(ix)}~~ (vii) {red dye} FDC Red No. 40;

~~{(x)}~~ (viii) {yellow dye} FDC Yellow No. 5; and

~~{(xi)}~~ (ix) {yellow dye} FDC Yellow No. 6.

~~{(2)}~~ (b) {Beginning in the 2026-2027 school year} Except as provided in Subsection (3), a {public
school may not serve or sell ultraprocessed food on school grounds} person who sells, donates,
offers, or serves a consumable item during the {normal} school day shall comply with the
requirements under this section.

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43 ~~{(3) {The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~
 ~~adopt rules to implement this section.}}~~

42 (3)

(a) Notwithstanding Subsection (2)(b):

45 ~~{(4) (i) {Nothing in this section prevents} a student's parent {or legal guardian from providing the~~
 ~~student} may provide students with a food {that contains ultraprocessed food to the student} item~~
 described in Subsection (2)(a) during the school day{ } ;

45 (ii) a teacher may provide students with a food item described in Subsection (2)(a) if the teacher
 obtains permission from the students' parents at the start of each school semester; and

48 (iii) a person may sell a food item described in Subsection (2)(a):

49 (A) as a concession item at a school-sponsored event or extra-curricular activity; or

50 (B) in a vending machine.

51 (b) This section does not apply to a charter school or district school that has 5,500 students or fewer.

53 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

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