

Foods Available at Schools Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kristen Chevrier

Senate Sponsor: Heidi Balderree

LONG TITLE**General Description:**

This bill amends provisions related to food additive prohibitions in a public school.

Highlighted Provisions:

This bill:

- amends the list of prohibited food additives;
- adds an exception related to food that is donated;
- removes an exception related to small schools; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53G-9-205.2, as enacted by Laws of Utah 2025, Chapter 466

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

Section 1. Section **53G-9-205.2** is amended to read:

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

(1) As used in this section:

- (a) "FD&C" means the Federal Food, Drug, and Cosmetics Act, 21 C.F.R. Part 74.
- (b) "Public school" means the same as that term is defined in Section 53G-9-205.1.
- (c) "School day" means the same as that terms is defined in Section 53G-6-201.

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

- (i) potassium bromate;
- (ii) propylparaben;

(iii) titanium dioxide;
 [(iii)] (iv) FD&C Blue No. 1;
 [(iv)] (v) FD&C Blue No. 2;
 [(v)] (vi) FD&C Green No. 3;
 [(vi)] (vii) FD&C Red No. 3;
 [(vii)] (viii) FD&C Red No. 40;
 [(viii)] (ix) FD&C Yellow No. 5; and
 [(ix)] (x) FD&C Yellow No. 6.

(b) Except as provided in Subsection (3), a person who sells, donates, offers, or serves a consumable item during the school day shall comply with the requirements under this section.

(3)[(a)] Notwithstanding Subsection (2)(b):

[(i)] (a) a student's parent may provide students with a food item described in Subsection (2)(a) during the school day;

[(ii)] (b) 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~~

[(iii)] (c) an individual may donate a food item described in Subsection (2)(a) to a school's food pantry;

(d) a public school may accept and distribute to a student a food item:

(i) described in Subsection (2)(a); and

(ii) donated under Subsection (3)(c); and

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

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

or

[(B)] (ii) in a vending machine.

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

Section 2. **Effective Date.**

This bill takes effect on July 1, 2026.