

1 **Foods Available at Schools Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kristen Chevrier

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

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

5 **Highlighted Provisions:**

6 This bill:

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

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 This bill provides a special effective date.

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **53G-9-205.2**, as enacted by Laws of Utah 2025, Chapter 466

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

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

20 **53G-9-205.2 . Definitions -- Prohibited food additives -- Exceptions.**

21 (1) As used in this section:

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

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

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

31 (iii) titanium dioxide;
 32 ~~[(iii)]~~ (iv) FD&C Blue No. 1;
 33 ~~[(iv)]~~ (v) FD&C Blue No. 2;
 34 ~~[(v)]~~ (vi) FD&C Green No. 3;
 35 ~~[(vi)]~~ (vii) FD&C Red No. 3;
 36 ~~[(vii)]~~ (viii) FD&C Red No. 40;
 37 ~~[(viii)]~~ (ix) FD&C Yellow No. 5; and
 38 ~~[(ix)]~~ (x) FD&C Yellow No. 6.

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

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

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

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

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

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

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

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

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

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

55 or

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

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

59 Section 2. **Effective Date.**

60 This bill takes effect on July 1, 2026.