

Make America Healthy Again overwhelms the Nation's Legislatures

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The Make America Healthy Again (MAHA) movement has swept through the nation's legislatures in 2025.

Legislatures in 26 states introduced 103 bills during the 2025 legislative sessions targeting food dyes and chemicals, soda and candy purchases through SNAP, nutrition education, bans on ultra-processed foods, even requiring minimum amounts of physical activity in schools. Although there were MAHA-type bills in blue states like California and Massachusetts, the vast majority came from predominantly Republican-dominated red states.

Of these 103 bills twelve have been enacted and 17 remain pending or will carry-over to the next legislative session, with the remainder dying in their legislatures. The twelve that passed were in seven states – Arizona, Arkansas, California, Louisiana, Texas, Utah and West Virginia. In 2023, California passed a law prohibiting several ingredients in foods sold and served in schools. A year later the legislature enacted the California School Food Safety Act, prohibiting the main synthetic food dyes in foods sold or served at public schools. More recent state laws do not outright ban ingredients but instead require warnings or disclosure statements on food labels containing certain ingredients.

Bills enacted during the 2025 legislative sessions include:

Arizona House Bill 2164

Arizona House Bill 2164 (Chap. 52) provides that any school that participates in a federally funded or assisted meal program shall not serve, sell or allow a third party to sell ultraprocessed food on the school campus during the normal school day.

Arkansas Senate Bill 9

Arkansas Senate Bill 9 (Act No. 622) establishes the Make Arkansas Healthy Again Act; prohibiting the manufacturing or selling of a food product for human consumption that contains [potassium](#)

[bromate](#), [propylparaben](#), and [erythrosine](#) (also known as Red No. 3), commonly found in various food products.

California Assembly Bill 1264

The California legislature furthered the state's efforts on ultraprocessed foods by enacting Assembly Bill 1264 (Chap. No. 467), requiring the state, when defining ultra processed foods of concern and restricted school foods, to consider specified factors, including whether a substance or group of substances are linked to health harms or adverse health consequences. The law requires vendors to report specified information to the State Department of Public Health for each food product sold to a school in the past calendar year.

Louisiana Senate Bill 14

Louisiana Senate Bill 14 (Act No. 463) prohibits schools from serving foods with artificial dyes and preservatives. The bill requires physicians, physician assistants and advanced practice registered nurses to complete continuing education on nutrition and metabolic health. It also requires food manufacturers to label products (using a special QR code) for foods containing any of 44 specified ingredients containing specific colors, additives or chemicals. The bill requires warning signs at restaurants that use certain seed oils to display a disclaimer. The state is also exploring waivers for the SNAP program to ban the purchase of unhealthy items.

Beginning in 2028, the bill will require food containing any of the listed ingredients to bear the QR code and label stating "NOTICE: This product contains [insert ingredient here]." Any food service establishment preparing food using seed oil must display a notice saying, "Some menu items may contain or be prepared using seed oils."

Texas House Bill 26/Senate Bill 25

The Texas Legislature passed two bills related to MAHA – House Bill 26 and Senate Bill 25. HB 26 (Chap. No. 910) relates to authorizing Medicaid managed care organizations to offer nutrition support services in lieu of other state Medicaid plan services, such as nutritional counseling and instruction, as an alternative to other state Medicaid plan services when deemed medically appropriate and cost-effective by the Texas Health and Human Services Commission (HHSC). This bill aims to expand access to nutrition support for eligible Texas Medicaid recipients, particularly pregnant individuals and those with chronic health conditions.

Texas SB 25 (Chap. No. 1179) relates to health and nutrition standards to promote healthy living, including requirements for food labeling, primary and secondary education, higher education, and continuing education for certain health care professionals.



Specifically, the bill:

- **Food Labeling:** mandates warning labels on food products sold in Texas that contain specific ingredients, provided these ingredients are required by the U.S. Food and Drug Administration (FDA) to be disclosed and the food is intended for human consumption. The goal is to educate consumers and empower them to make healthier dietary choices.
- **Nutrition Education:** aims to establish a new state nutrition curriculum. This curriculum, which will follow Texas-centric nutrition guidelines, is intended for incorporation into public schools, colleges, and nursing and medical school programs.
- **Physical Activity:** requires a minimum amount of physical activity in public schools for students from pre-K through 8th grade.
- **Nutrition Advisory Committee:** establishes a nutrition advisory committee composed of seven volunteer members with expertise in various fields. This committee will provide recommendations on nutritional guidelines for the state.

Texas Senate Bill 314

The Texas Legislature passed Senate Bill 314 (Chap. No. 177) prohibiting 17 listed ingredients from school lunches beginning with the 2026-2027 school year.

Utah House Bill 402 and House Bill 403

Utah followed a similar approach, with House Bill 403 (Chap. No. 467) focusing on SNAP benefits, and House Bill 402 (Chap. No. 466) addressing chemicals in school lunches. HB 402 prohibits public schools from serving food with certain synthetic dyes and additives beginning in the 2026-27 school year. Additives banned by the bill include potassium bromate, propylparaben, and artificial colorings like Blue No. 1 and 2, Green No. 3, Red No. 3 and 40, and Yellow No. 5 and 6. House Bill 403 enacts provisions related to the Supplement Nutrition Assistance Program, better known as SNAP; requires the Department of Workforce Services (department) to request a waiver from the federal government regarding the use of SNAP benefits for certain foods, including prohibiting the purchase of soda.

Virginia House Bill 1910/Senate Bill 1289

The Virginia legislation enacted two bills related to nutrition in schools – H 1910 and S 1289. HB 1910 (Chap. No. 212) relates to school nutritional requirements, including a ban on seven color additives. SB 1289 (Chap. No. 222) relates to nutritional standards for school meals and other foods; prohibits certain color additives.

West Virginia House Bill 2354



West Virginia enacted one of the most far-reaching MAHA bills - House Bill 2354 (Act No. 211). The bill bans seven food dyes in school food beginning Aug. 1, 2025, and bans the same seven food dyes and two additional preservatives in other foods sold in the state beginning in 2028. These bans include butylated hydroxyanisole, propylparaben, FD and C Blue No. 1, Blue No. 2, Green No. 3, Red No. 3, Red No. 40, Yellow No. 5, and Yellow No. 6.

These bills banning food dyes and chemicals in school meals, requiring restaurant signage if they serve certain foods, mandating food labeling and requiring continuing educational requirements for medical professionals reflect a broader effort toward state-level food safety regulation not directed by the public health community but by people concerned with health in this country. Their efforts are leading states to act regardless of federal activities, placing burdens on the food industry to respond to these requests. With so many bills becoming law in several states the federal government may be pressured to act to provide uniformity among these provisions.

