

SUMMARY

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- Texas has passed a first-of-its-kind law requiring warning labels on foods containing certain additives.
- The law lists more than 40 ingredients, including Red 40, titanium dioxide, and olestra, some of which are already banned in the U.S.
- The legislation also mandates physical activity and nutrition education in schools and new nutrition training for healthcare workers.

On June 22, Texas Gov. Greg Abbott signed a first-of-its-kind bill that will require warning labels on foods containing certain additives. And those labels may have to be added to thousands of items.

The bill, [Senate Bill 25](#), identifies 44 ingredients, including food colorings such as Blue 1 and 2, Green 3, Red 40, and Yellow 5 and 6. It also includes olestra, partially hydrogenated oils, and titanium dioxide, the last of which [Food & Wine previously reported](#) is in approximately 11,000 food items.

The bill also specifically states that if a product contains any of the listed additives, it must carry a label stating: **"WARNING: This product contains an ingredient that is not recommended for human consumption by the appropriate authority in Australia, Canada, the European Union, or the United Kingdom."** The labels must be in effect by 2027.

The new law is being linked to the larger "Make America Healthy Again" movement spearheaded by Robert F. Kennedy Jr., the U.S. Secretary of Health and Human Services. Stuart Pape, a lawyer who represents food companies, told [The Washington Post](#) that he believes it's "almost entirely a function of the MAHA movement."

As [F&W reported](#), titanium dioxide specifically garnered special attention in the White House's "Make America Healthy Again" report, which states that it "may cause cellular and DNA damage." A new study on mice published in the upcoming August issue of the journal Food and Chemical Toxicology found that titanium dioxide may disrupt blood sugar levels, leading to the mice's inability to manage their glucose effectively. Additionally, the findings of the study suggest that enteroendocrine cells, which are responsible for producing hormones that regulate appetite and blood sugar, including GLP-1, may not function correctly due to contact with the additive.

However, the [Associated Press](#) noted that a review of the listed additives shows that nearly a dozen of them are indeed legal in the nations and continents listed in the warning. That includes titanium dioxide, which is banned in the European Union but remains a legal additive in [Canada](#), [Australia](#), and the [United Kingdom](#). Furthermore, the AP noted that several of the targeted additives, including partially hydrogenated oils, Red Dye No. 4, and Red Dye No. 3, have already been banned in food.

"I don't know how the list of chemicals was constructed," Thomas Galligan, a scientist with the Center for Science in the Public Interest, told the AP. "Warnings have to be accurate in order to be legal."

The new labeling law, the AP added, will likely force food manufacturers to decide between adding the labels, reformulating their products entirely to avoid them, or taking the state of Texas to court.

None of these choices is ideal, according to the Consumer Brands Association, a group representing major food manufacturers. John Hewitt, the group's senior vice president of state affairs, shared with [Fortune](#) earlier this year that the "labeling requirements of SB 25 mandate inaccurate warning language, create legal risks for brands and drive consumer confusion and higher costs." Hewitt added, "Because there are so many ingredients, and we anticipate this impacting so many different products, I don't know to the extent that reformulation is that feasible at the outset."

The law, however, also has wide-ranging support, including from Brian Ronholm, director of food policy at Consumer Reports, who told the AP that this "represents a big win for Texas consumers and consumers overall." Ronholm added, "It's a reflection of states not wanting to wait for the federal government to act."

The new legislation doesn't stop at food labeling. It also requires daily physical activity in both public and charter schools for kindergarten through eighth grade, along with mandatory nutrition education in the same grades and offered as an elective for high school students. The bill requires universities and medical schools in the state to add nutrition courses to remain eligible for state funding. Under the new legislation, doctors, nurses, physician assistants, and some licensed practitioners must also take nutrition and metabolic health education as part of their continuing education to renew their licenses starting in 2027.

Tab 2

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