Certain Food Additives Now Banned in Texas Schools

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With its passage in both the Texas House and the Texas Senate, Texas S.B. 314 is now law in Texas without the need for any further action by Governor Greg Abbott.[2]

What Food Additives are Prohibited?

Texas S.B. 314 is one of several pieces of legislation (i.e., S.B. 25,[3] S.B. 379[4] and others) aiming to prohibit or limit food additives in Texas. Texas S.B. 314 amends the Texas Education Code to prohibit school districts and open-enrollment charter schools providing free or reduced-price meals, as well as meals through the national school breakfast and lunch programs, from offering foods to students that contain the following additives:[5]

- Ammonia Caramel (Class III)/INS No. 150c
- Azodicarbonamide
- Blue Dye No. 2
- Brominated Vegetable Oil (BVO)
- Butylated Hydroxyanisole (BHA)
- Citrus Red Dye No. 3
- Green Dye No. 3
- Orange B Dye
- Potassium Bromate
- Propylparaben
- Red Dye No. 3
- Red Dye No. 40
- Sulfite Ammonia Caramel (Class IV/INS No. 150d
- Titanium Dioxide
- Yellow Dye No. 5
- Yellow Dye No. 6
- Any other additive substantially similar to these

What Is the Effective Date?

Texas S.B. 314 became effective immediately upon receiving two-thirds of the vote[6] and applies to contracts for free or reduced-price school meals that are entered into or renewed on or after Sept. 1, 2026, for the 2026-2027 school year.[7]

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[1] Prepared by Suzie Trigg and Kristi Weisner as of May 27, 2025. Please refer to the text of the enrolled version of the bill (available at https://legiscan.com/TX/text/SB314/id/3237373/Texas-2025-SB314-Enrolled.html) and, once codified, to Section 33.9011 of the Texas Educational Code (available at https://statutes.capitol.texas.gov/Docs/ED/htm/ED.33.htm) to ensure compliance.
[2] S.B. 314, 89th Leg. (Tex. 2025) (to be codified at TEX. EDU. CODE § 33.9011); The Legislative Process in Texas, TEXAS LEGIS. COUNCIL (last updated Nov. 2024).

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[3] S.B. 25, 89th Leg. (Tex. 2025) ("[r]elating to health and nutrition standards to promote healthy living").
[4] S.B. 379, 89th Leg. (Tex. 2025) ("[r]elating to prohibiting the purchase of sweetened soft drinks under the supplemental nutrition assistance program").
[5] S.B. 314, 89th Leg. (Tex. 2025) (to be codified at TEX. EDU. CODE § 33.9011).
[6] Id. at § 3.
[7] Id. at § 4.

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