

HOUSE BILL No. 1321

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-42-5.5; IC 35-52-16-86.5.

Synopsis: Prohibition on use of certain food additives. Prohibits the use of various food additives in Indiana.

Effective: July 1, 2026.

Hatcher

January 6, 2026, read first time and referred to Committee on Public Health.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-135 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 135. (a) "Food", for
3 purposes of IC 16-42-1 through IC 16-42-4, ~~and IC 16-42-5.5, and~~
4 IC 16-42-18, means the following:

5 (1) Articles used for food, drink, confectionery, or condiment for
6 humans.

7 (2) Chewing gum.

8 (3) Articles used for components of any of these articles.

9 (b) "Food", for purposes of IC 16-42-5 and IC 16-42-5.2, means the
10 following:

11 (1) All articles used for food, drink, confectionery, or condiment
12 whether simple, mixed, or compound.

13 (2) All substances or ingredients used in the preparation of the
14 items described in subdivision (1).

15 SECTION 2. IC 16-18-2-294.7 IS ADDED TO THE INDIANA
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2026]: **Sec. 294.7. "Prohibited food additive",**



for purposes of IC 16-42-5.5, has the meaning set forth in IC 16-42-5.5-3.

SECTION 3. IC 16-42-5.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 5.5. Restrictions on Food Additives

Sec. 1. As used in this chapter, "food" has the meaning set forth in IC 16-18-2-135(a).

Sec. 2. As used in this chapter, "person" has the meaning set forth in IC 16-18-2-274(a).

Sec. 3. As used in this chapter, "prohibited food additive" refers to the following substances:

- (1) Blue 1 (CAS 3844-45-9).
- (2) Blue 2 (CAS 860-22-0).
- (3) Green 3 (CAS 2353-45-9).
- (4) Potassium bromate (CAS 7758-01-2).
- (5) Red 3 (CAS 16423-68-0).
- (6) Red 40 (CAS 25956-17-6).
- (7) Yellow 5 (CAS 1934-21-0).
- (8) Yellow 6 (CAS 2783-94-0).

Sec. 4. A person may not do the following in Indiana:

- (1) Sell food containing a prohibited food additive.
- (2) Store food containing a prohibited food additive.
- (3) Distribute food containing a prohibited food additive.
- (4) Use a prohibited food additive in the preparation of food.
- (5) Manufacture a prohibited food additive.

Sec. 5. The state department may adopt rules under IC 4-22-2 to administer this chapter.

Sec. 6. The state health commissioner shall enforce the provisions of this chapter.

Sec. 7. A person who recklessly violates this chapter commits a Class B misdemeanor.

SECTION 4. IC 35-52-16-86.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 86.5.** IC 16-42-5.5-7 defines a crime concerning prohibited food additives.

