

# HOUSE BILL No. 1364

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-42-5.7.

**Synopsis:** Food labeling requirements. Requires a food manufacturer that offers certain food products for sale in Indiana to ensure that each food product includes a warning label disclosing specified ingredients in the food product. Sets forth labeling requirements. Allows the attorney general to bring an action for a violation of these provisions.

**Effective:** July 1, 2026.

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**Meltzer, McGuire, Barrett, King**

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January 8, 2026, read first time and referred to Committee on Public Health.

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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.

## HOUSE BILL No. 1364

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 16-42-5.7 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]:

4       **Chapter 5.7. Food: Labeling Requirements**

5       **Sec. 1. (a) This chapter applies to a food product label:**

6           (1) printed; or

7           (2) copyrighted;

8       **after June 30, 2027.**

9       **(b) This chapter does not apply to any of the following offered**  
10 **for sale in Indiana by a food manufacturer:**

11           (1) A product that contains an ingredient not intended for  
12           human consumption.

13           (2) Food labeled, prepared, served, or sold in the following:

14               (A) A food establishment.

15               (B) A retail establishment.

16           (3) A product regulated by the federal Department of  
17           Agriculture Food Safety and Inspection Service.



(4) A product labeled with a warning from the Surgeon General of the federal Public Health Service.

(5) A drug.

(6) A dietary supplement.

(7) A pesticide chemical, soil, plant nutrient, or other raw agricultural commodity.

**Sec. 2. (a) If the federal Food and Drug Administration requires an ingredient to be named on a food product label and the food manufacturer offers the food product for sale in Indiana, the food manufacturer shall ensure that each food product intended for human consumption includes a warning label that discloses the use of any of the following ingredients in the food product:**

Acetylated esters of mono- and diglycerides (acetic acid ester).

Anisole.

Azodicarbonamide (ADA).

Butylated hydroxyanisole (BHA).

Butylated hydroxytoluene (BHT).

Bleached flour.

Blue 1 (CAS 3844-45-9).

Blue 2 (CAS 860-22-0).

Bromated flour.

Calcium bromate.

Canthaxanthin.

Certified food colors by the United States federal Food and Drug Administration.

Citrus red 2 (CAS 6358-53-8).

Diacetyl.

Diacetyl tartaric and fatty acid esters of mono- and diglycerides (DATEM).

Dimethylamylamine (DMAA).

Diethyl sodium sulfosuccinate (DSS).

Ficin.

Green 3 (CAS 2353-45-9).

Interesterified palm oil.

Interesterified soybean oil.

Lactylated fatty acid esters of glycerol and propylene glycol.

Lye.

Morpholine.

Olestra.

Partially hydrogenated oil (PHO).

Potassium aluminum sulfate.

Potassium bromate.



1 Potassium iodate.  
 2 Propylene oxide.  
 3 Propylparaben.  
 4 Red 3 (CAS 16423-68-0).  
 5 Red 4 (CAS 4548-53-2).  
 6 Red 40 (CAS 25956-17-6).  
 7 Sodium aluminum sulfate.  
 8 Sodium lauryl sulfate.  
 9 Sodium stearyl fumarate.  
 10 Stearyl tartrate.  
 11 Synthetic trans fatty acid.  
 12 Thiodipropionic acid.  
 13 Titanium dioxide.  
 14 Toluene.  
 15 Yellow 5 (CAS 1934-21-0).  
 16 Yellow 6 (CAS 2783-94-0).

17 (b) The warning label required under subsection (a) must meet  
 18 the following requirements:

19 (1) Include the following statement:

20 "WARNING: This product contains an ingredient that is  
 21 not recommended for human consumption by the  
 22 appropriate authority in Australia, Canada, the European  
 23 Union, or the United Kingdom."

24 (2) Be printed in a font size not smaller than the smallest font  
 25 size used to disclose other consumer information required by  
 26 the federal Food and Drug Administration.

27 (3) Contains sufficiently high contrast font to ensure the  
 28 statement described in subdivision (1) is likely to be seen and  
 29 understood by the intended consumer.

30 Sec. 3. If a food manufacturer or retailer offers a food product  
 31 described in section 2 of this chapter for sale in Indiana on the  
 32 manufacturer's or retailer's website, the food manufacturer or the  
 33 retailer shall disclose to the consumer all labeling information  
 34 required under section 2 of this chapter by either:

35 (1) posting a legible statement on the website on which the  
 36 product is offered for sale; or

37 (2) communicating the information to the consumer in some  
 38 other manner.

39 Sec. 4. If a food manufacturer violates this chapter, the attorney  
 40 general may bring an action to obtain any of the following against  
 41 the food manufacturer:

42 (1) Injunctive relief.



- 1           **(2) A civil penalty of not more than fifty thousand dollars**
- 2           **(\$50,000) per day for each violation.**
- 3           **(3) The attorney general's reasonable costs of:**
- 4               **(A) the investigation of the violation; and**
- 5               **(B) maintaining the action.**
- 6           **(4) Other appropriate relief.**
- 7           **Sec. 5. A violation of this chapter does not create a private cause**
- 8           **of action.**

