

## Louisiana to Require Disclosures of Specified Food and Color Additives<sup>1</sup>

Now the law in Louisiana, Senate Bill 14 (S.B. 14) not only prohibits certain food ingredients in school-provided meals and beverages, but also requires food manufacturers to disclose the presence of certain food additives and color additives in food and beverage products offered for sale in Louisiana.<sup>2</sup> S.B. 14 also requires that food service establishments that cook or prepare food using seed oil display a disclaimer on the menu or other clearly visible location. These requirements of S.B. 14, if unchanged by federal law or litigation, are to become effective on January 1, 2028.

### Which food additives are now prohibited in schools in Louisiana?

S.B. 14 adds Section 17:197.2 to the Louisiana Revised Statutes to prohibit public schools, as well as non-public schools receiving state funds, from serving breakfast, lunch and aftercare meals containing the following prohibited ingredients beginning in the 2028-2029 school year:<sup>3</sup>

- Acesulfame potassium
- Aspartame
- Azodicarbonamide (ADA)
- Blue Dye No. 1
- Blue Dye No. 2
- Butylated hydroxyanisole (BHA)
- Butylated hydroxytoluene (BHT)
- Green Dye No. 3
- Potassium bromate
- Propylparaben
- Red Dye No. 3
- Red Dye No. 40
- Sucralose
- Yellow Dye No. 5
- Yellow Dye No. 6

However, this prohibition does not apply to food and beverages sold in school concession stands or vending machines.<sup>4</sup>

### Which additives now require a disclaimer on food product labels in Louisiana?

Effective January 1, 2028, Section 40:661 of the Louisiana Revised Statutes requires manufacturers to label food or beverage products intended for human consumption and offered for sale in Louisiana with a disclaimer if the product contains any of the following ingredients:<sup>5</sup>

- Acesulfame potassium
- Acetylated esters of mono- and diglycerides (acetic acid ester)
- Anisole
- Aspartame
- Azodicarbonamide (ADA)
- Bleached flour
- Blue Dye No. 1
- Blue Dye No. 2
- Butylated hydroxyanisole (BHA)
- Butylated hydroxytoluene (BHT)
- Bromated flour
- Calcium bromate
- Canthaxanthin
- Citrus Red Dye No. 2
- Diacetyl
- Dimethylamylamine (DMAA)
- Dioctyl sodium sulfosuccinate (DSS)
- U.S. Food and Drug Administration (FDA)-certified food colors
- Green Dye No. 3
- 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
- Potassium iodate
- Propylene oxide
- Propylparaben
- Red Dye No. 3
- Red Dye No. 4
- Red Dye No. 40
- Sodium aluminum sulfate
- Sodium lauryl sulfate
- Sodium stearyl fumarate
- Stearyl tartrate
- Sucralose
- Synthetic trans fatty acid
- Thiodipropionic acid
- Toluene
- Yellow Dye No. 5
- Yellow Dye No. 6

The product label must include a quick response (QR) code with a disclosure statement adjacent to it informing the consumer to scan the QR code for additional ingredient information.<sup>6</sup> Accordingly, a scan of the QR code must then link the consumer to a web page maintained by the manufacturer that prominently displays the following disclaimer:<sup>7</sup>

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NOTICE: This product contains [ingredient]. For more information about this ingredient, including FDA approvals, click [HERE](#).

The disclaimer statement must also provide a link that allows the consumer to access the FDA’s web page on food chemical safety.<sup>8</sup>

Alcoholic beverages, foods prepared and labeled in retail food establishments and medical foods are all exempt from these disclosure requirements, as are dietary supplements.<sup>9</sup> And, as for products retail products sold in multiunit packaging, the provisions only apply to the outer container.<sup>10</sup>

## What oils will require a disclaimer at food service establishments in Louisiana?

Effective January 1, 2028, Section 40:662 of the Louisiana Revised Statutes requires food service establishments using seed oil in their food preparation to display a disclaimer on menus or another clearly visible location informing consumers that the following seed oils could potentially be present in the food:<sup>11</sup>

- Canola oil
- Corn oil
- Cottonseed oil
- Grapeseed oil
- Rice bran oil
- Safflower oil
- Soybean oil
- Sunflower oil

The disclaimer must inform the consumer that:<sup>12</sup>

Some menu items may contain or be prepared using seed oils.

## What are the penalties for noncompliance with the disclosure requirements?

Noncompliance with the disclosure requirements constitutes a violation under the Louisiana Sanitary Code,<sup>13</sup> which may result in criminal prosecution, including imprisonment, as well as civil penalties such as additional training requirements, fines up to one hundred dollars per day per violation not to exceed ten thousand dollars per violator per calendar year, or temporary or permanent injunctions.<sup>14</sup>

## What happens if similar federal requirements are established?

The provisions promulgated under S.B. 14 are to remain in effect in Louisiana until a federal government agency enacts or issues a federal statute, regulation or guidance that is at least as restrictive or more restrictive.<sup>15</sup>

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<sup>1</sup> Prepared by Suzie Trigg and Kristi Weisner as of July 14, 2025. Please refer to the text of the enrolled version of the bill (available at <https://legis.la.gov/legis/ViewDocument.aspx?d=1421347>) and, once codified, to amended sections of the Louisiana Revised Statutes (available at [https://www.legis.la.gov/legis/Laws\\_Toc.aspx?folder=75](https://www.legis.la.gov/legis/Laws_Toc.aspx?folder=75)) to ensure compliance.

<sup>2</sup> [S.B. 14](#), Reg. Sess. (La. 2025) (to be codified at LA. STAT. ANN. §§ 17:197.2, 40:661–662).

<sup>3</sup> LA. STAT. ANN. §§ 17:197.2, as amended.

<sup>4</sup> LA. STAT. ANN. § 17:197.2(A)(4), as amended.

<sup>5</sup> LA. STAT. ANN. § 40:661(A)(1), as amended.

<sup>6</sup> LA. STAT. ANN. § 40:661(B)(1), as amended.

<sup>7</sup> LA. STAT. ANN. § 40:661(B)(2–3), as amended.

<sup>8</sup> LA. STAT. ANN. § 40:661(B)(3–4), as amended.

<sup>9</sup> LA. STAT. ANN. § 40:661(C)(2)(a–d), as amended.

<sup>10</sup> LA. STAT. ANN. § 40:661(C)(3), as amended.

<sup>11</sup> LA. STAT. ANN. § 40:662(A), as amended.

<sup>12</sup> LA. STAT. ANN. § 40:662(A), as amended.

<sup>13</sup> LA. STAT. ANN. §§ 40:661(D), 662(C), as amended (citing LA. STAT. ANN. § 40:6).

<sup>14</sup> LA. STAT. ANN. § 40:6.

<sup>15</sup> *See supra* note 2, at § 4.