

HOUSE BILL No. 1655

DIGEST OF INTRODUCED BILL

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

Synopsis: Prohibited food ingredients. Prohibits the use of various food additives in Indiana.

Effective: July 1, 2025.

Payne

January 21, 2025, read first time and referred to Committee on Public Health.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1655

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, 2025]: 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, 2025]: **Sec. 294.7. "Prohibited food additive",**



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

3 SECTION 3. IC 16-42-5.5 IS ADDED TO THE INDIANA CODE
4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2025]:

6 **Chapter 5.5. Restrictions on Food Additives**

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

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

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

- 13 (1) Butylated hydroxyanisole (BHA) (CAS 25013-16-5).
- 14 (2) Butylated hydroxytoluene (BHT) (CAS 128-37-0).
- 15 (3) Red 40 (CAS 25956-17-6).
- 16 (4) Titanium dioxide (CAS 13463-67-7).
- 17 (5) Yellow 5 (CAS 1934-21-0).
- 18 (6) Yellow 6 (CAS 2783-94-0).

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

- 20 (1) Sell food containing a prohibited food additive.
- 21 (2) Store food containing a prohibited food additive.
- 22 (3) Distribute food containing a prohibited food additive.
- 23 (4) Use a prohibited food additive in the preparation of food.

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

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

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

30 SECTION 4. IC 35-52-16-86.5 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2025]: **Sec. 86.5. IC 16-42-5.5-7 defines a
33 crime concerning the regulation of prohibited food additives.**

