Foster Garvey

Legal Alerts

Texas to Require Warning for Certain Food Additives

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Texas SB 25, signed into law on June 22, 2025, requires packaged human food in Texas after January 1, 2027, to display a conspicuous warning if the product contains any of 44 specified ingredients required by the U.S. Food and Drug Administration ("FDA") to be named on the label.

Commonly used ingredients triggering a warning include bleached flour, titanium dioxide and synthetic food dyes. The warning must state:

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

The law applies to most manufactured food distributed into Texas, regardless of where the product is made. It does not apply to dietary supplements, foods regulated by the U.S. Department of Agriculture ("USDA"), foods labeled, prepared, served or sold in a restaurant, a product labeled with a governmental warning with a recommendation from the U.S. surgeon general, or foods labeled, prepared or served in a retail establishment, among other exempted products. Penalties can reach $50,000 per day per product in violation of the law, and the Texas Attorney General may seek injunctions.

For questions about how these changes may affect your products, please contact Foster Garvey's Food & Beverage team.

This issue is part of a broader wave of state and federal food initiatives. Read the full update here.

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