**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4339**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Erickson, Terribile, Bradley, Martin, Huff, Mitchell, Forrest, Anderson, Duncan, Kilmartin, Lawson, Hager, M.M. Smith, Beach, Frank, J.L. Johnson, Gilliam, Rankin, Bauer, Teeple, Pedalino, McCabe, Bustos, Wickensimer, Cobb-Hunter, Vaughan, Haddon, Willis, Long, Chapman, Pace, Caskey, Chumley, Whitmire, Morgan, Magnuson, Gibson, Davis, Edgerton, Hartz, Bernstein, Harris, B. Newton, Hewitt, Waters, Luck, Rivers, Hartnett, B.L. Cox, Reese, Taylor, Bowers, Gagnon, Herbkersman, Jordan, McGinnis, Moss, Spann-Wilder, Weeks, Gilreath and Cromer

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Introduced in the House on April 9, 2025

Currently residing in the House

Summary: South Carolina Healthy School Meals Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/9/2025 House Introduced and read first time ([House Journal‑page 106](h:\hj\20250409.docx))

4/9/2025 House Referred to Committee on **Education and Public Works** ([House Journal‑page 106](h:\hj\20250409.docx))

4/30/2025 House Member(s) request name added as sponsor:
Gilreath, Cromer

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**VERSIONS OF THIS BILL**

[04/09/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4339_20250409.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA HEALTHY SCHOOLS ACT” BY ADDING SECTION 59‑10‑325 SO AS TO PROTECT THE HEALTH AND WELL‑BEING OF CHILDREN BY PROHIBITING THE USE OF HARMFUL FOOD ADDITIVES IN SCHOOL MEALS, ENSURING INGREDIENT TRANSPARENCY, ESTABLISHING COMPLIANCE PROCEDURES AND ENFORCEMENT MECHANISMS, TO PROVIDE A PERIODIC REVIEW AND POSSIBLE UPDATES OF PROHIBITED ADDITIVES, TO DEFINE NECESSARY TERMS, AND TO MAKE RELATED FINDINGS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “South Carolina Healthy Schools Act.”

SECTION 2. Article 3, Chapter 10, Title 59 of the S.C. Code is amended by adding:

Section 59‑10‑325. (A) Beginning July 1, 2027, any public school participating in a federally funded or assisted meal program shall not serve, sell, or allow a third party to sell ultraprocessed food on school premises during the academic school year. This subsection does not prevent a student’s parent or guardian from providing ultraprocessed food to their child for personal consumption.

(B) For the purposes of this section, “ultraprocessed food” means any food or beverage that contains one or more of the following additives:

(1) Potassium bromate;

(2) Propylparaben;

(3) Titanium dioxide;

(4) Brominated vegetable oil;

(5) Yellow Dye 5 (Tartrazine);

(6) Yellow Dye 6 (Sunset Yellow);

(7) Blue Dye 1 (Brilliant Blue);

(8) Blue Dye 2 (Indigo Carmine);

(9) Green Dye 3 (Fast Green);

(10) Red Dye 3 (Erythrosine);

(11) Red Dye 40 (Allura Red).

(C) All food suppliers and manufacturers providing meals to public schools must provide a list of ingredients on packaging or product information sheets, identifying any additives by their common or chemical name, without the use of umbrella terms such as “artificial colors” or “natural flavors.”

(D) Compliance:

(1) Each public school shall annually submit a standardized certification form to the Department of Education Office of School Nutrition, attesting compliance with this section.

(2) The Department of Education shall:

(a) post the certification form and a list of compliant schools on its website; and

(b) conduct random audits of school meal samples every two years to verify compliance, using third‑party laboratory testing if necessary.

(3) If a prohibited additive is found:

(a) the school and supplier shall receive a warning from the Department of Education and sixty calendar days to correct the violation;

(b) a second violation incurs a fine of up to $1,000 per supplier;

(c) a third violation may disqualify the supplier from providing school meals for one year.

(E) Review:

(1) Every five years, the Department of Education, in consultation with the Department of Agriculture, shall review scientific evidence and international regulations to determine if additional additives should be prohibited.

(2) Any recommended changes must be submitted to the State Board of Education for approval and codified by means of regulation.

(F) The Department of Education shall oversee implementation and ensure compliance with this section.

SECTION 3. The General Assembly finds that:

(1) childhood obesity, hyperactivity, and long‑term health risks are matters of statewide concern; (2) ultraprocessed foods with synthetic additives contribute to these issues and undermine the nutrition of students in public schools; and

(3) taxpayer‑funded school meal programs should prioritize student health by eliminating harmful additives.

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor.

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