CAPROCK STRATEGIES

Make America Healthy Again
Policy Memo | Third Edition

TRACKING MAHA: AN OVERVIEW OF STATE AND FEDERAL POLICY DEVELOPMENTS

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OVERVIEW

The unifying force behind President Donald Trump's and Health and Human Services (HHS) Secretary Robert F. Kennedy Jr.'s (RFK Jr.) unlikely alliance is their shared commitment to "Make America Healthy Again" (MAHA), a movement that has since evolved into a cornerstone of the Trump administration's second-term agenda. RFK Jr. is spearheading a sweeping national strategy to confront what he identifies as the root causes of America's chronic disease crisis: poor diets, environmental toxins and a reactive, inefficient healthcare system. The movement's agenda is wide-ranging, targeting everything from food dyes and ultraprocessed foods (UPFs) to pesticides, microplastics and environmental contaminants such as per- and polyfluoroalkyl substances (PFAS).

It is an ambitious effort, and it is one that is being carried forward by not only HHS, but also other executive agencies, Congress and state governments. Caprock Strategies' last memorandum pointed out that effective implementation of core MAHA principles would require alignment and cooperation across all levels of government as well as the broader public. Such alignment and cooperation is evident as both state-level bills and comprehensive federal initiatives progress rapidly through their respective processes. This memorandum outlines the major federal and state legislative actions undertaken in support of the MAHA initiative over the last several months.

For previous MAHA memo editions, email *erin@caprockstrategies.com*.

MAHA at the Federal Level

MAHA has transitioned from a campaign slogan to an increasingly powerful driving force behind federal public health and nutrition policy. The initiative has created a government-wide effort to confront the root causes of chronic disease through sweeping changes in food policy, preventive health strategies and environmental standards. This period has seen a rapid rollout of major federal actions, including interagency task force coordination, proposed legislation and broad agency efforts aimed at reducing exposure to UPFs, artificial dyes and chemicals, and environmental toxins. Here are **some of those key federal milestones** that have reshaped the national health priorities and positioned chronic disease prevention at the center of the political agenda.

The MAHA Commission Report

In accordance with **Executive Order 14212**, the MAHA Commission released in May its initial report, marking the first step in fulfilling the President's directive to investigate and address the root causes of America's escalating health crisis with an initial focus on childhood chronic diseases. The report identifies four suspected drivers of childhood chronic disease: poor diet, aggregation of environmental and synthetic chemicals, lack of physical activity and chronic stress, and overmedicalization. In the report, the 2025–2030 Dietary Guidelines for Americans (DGA) are faulted for failing to address UPFs and for committee members' alleged conflicts of interest, and the Supplemental Nutrition Assistance Program (SNAP) is criticized for subsidizing unhealthy food consumption.

The report condemns how federal crop insurance has been used in the past, claiming favoritism in the system toward traditional crops such as wheat, corn and soybeans. It advocates for increased support for specialty crops such as fruits, vegetables, tree nuts and nursery plants. A second report, directed to be released within 180 days of the Commission's creation, is expected in August and will include a strategy based on the findings contained within the May report.

SNAP Waivers

Currently, the United States Department of Agriculture has approved six SNAP Food Restriction waivers, providing states with greater flexibility to manage their programs by restricting the purchase of non-nutritious items like soda and candy. Arkansas, Idaho, Indiana, Iowa, Nebraska and Utah have all been approved, and a number of other states await their turn as their waivers have already been submitted to Secretary of Agriculture Brooke Rollins for consideration. The waivers can vary significantly in terms of defining what does and does not fall under the restrictions. For example, **Idaho's waiver** will restrict the purchase of candy, defined as "preparations of sugar, honey, or other sweeteners in combination with chocolate, fruits, nuts, or other ingredients in the form of bars, drops, or pieces. It does not include those items containing flour or requiring refrigeration." However, **Arkansas's waiver** explicitly states that their definition of candy will extend to confectionary products with flour and artificially sweetened candies.

Whole Milk for Healthy Kids Act of 2025

The *Whole Milk for Healthy Kids Act of 2025* is an effort to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve whole milk. The bipartisan legislation seeks to improve school meal quality by allowing schools to serve whole and reduced-fat (2%) milk—options that have been prohibited in school lunches since the Healthy, Hunger-Free Kids Act of 2010. The bill challenges current federal restrictions, arguing they are outdated and have led to a decline in dairy consumption among children with two-thirds of school-age students failing to meet recommended dairy intake levels, according to the 2025 DGA Committee Report. Previous versions of the bill never made it out of the Senate Agriculture Committee. However, the 2025 version passed out of committee in both the House and the Senate and is likely to become law. The *Whole Milk for Healthy Kids Act of 2025* is not the only piece of MAHA legislation making its way through the legislative process. Other efforts to limit SNAP purchases and improve dietary transparency include:

- **Dietary Guidelines Reform Act**
  Sponsors: Congressman Ronny Jackson (TX), Senator Roger Marshall (KS)
- **Healthy SNAP Act**
  Senator Mike Lee (UT)
- **SNAP Reform Act**
  Senator Rand Paul (KY)
- **GRAS Transparency Legislation**
  Senator Marshall (KS) has publicly expressed interest in sponsoring, and it has been reported that he is working with FDA on language with intent to file legislation soon.

This memorandum is not comprehensive of all policy initiatives and actions taken at the federal level related to the MAHA movement. Caprock Strategies has provided a detailed analysis of other MAHA actions in previous memorandums. A brief overview of other other key MAHA measures in the nutrition sector is provided below:

- **Phasing Out Petroleum-Based Food Dyes:** The FDA is working to establish a national standard and timeline for phasing out petroleum-based food dyes in favor of natural alternatives. This includes removing authorization for specific synthetic dyes and working with the industry to eliminate others. The FDA has also approved new natural color additives.
- **GRAS Reform and Industry Pressure:** The FDA is exploring a major revision of the generally recognized as safe (GRAS) rule to eliminate a food company's ability to self-affirm an ingredient as generally recognized as safe, commonly referred to as the GRAS regulatory loophole, requiring premarket safety submissions. This move, once largely a Democratic priority, is gaining bipartisan support under the MAHA banner.
- **"Healthy" Labeling Rule Implementation:** Despite regulatory freezes, the Trump Administration allowed the updated "healthy" labeling rule to proceed, implemented on April 28, 2025.

- **Creation of the Administration for a Healthy America (AHA):** HHS launched a new internal agency to centralize and coordinate chronic disease prevention and health equity programs, reflecting the structural integration of MAHA priorities.
- **Increased Testing for Contaminants:** Efforts are underway to increase testing for heavy metals and other contaminants in infant formula and other foods consumed by babies and children.

MAHA at the State Level

States are rapidly becoming the leaders of the MAHA movement, outpacing federal initiatives with unprecedented speed. As of June 2025, Caprock Strategies is tracking nearly 150 bills targeting food additives and dyes, school meal and nutrition program reforms, and packaging material restrictions. These legislative efforts are gaining traction across the political spectrum with activity emerging in both traditionally Republican- and Democrat-led states. This wave of bipartisan momentum has already produced several landmark measures with three standout bills offering a glimpse into how states are translating MAHA principles into policy.

Texas

Texas represents a major market for the food industry and has likewise emerged as a key battleground for MAHA legislation. A number of bills were introduced and passed in the most recent legislative session, but of particular significance is **Senate Bill 25**, which will place a European, high-contrast label with the phrase ***"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."*** on future labels for common products like Doritos or M&Ms. Texas Governor Gregg Abbott signed the bill on June 22, 2025, and it will take effect in 2027.

The warning label must be placed on any food product intended for human consumption that uses any of 44 additives listed in the legislation, which includes butylated hydroxyanisole (BHA), bleached flour, titanium dioxide and all certified food colors by the United States Food and Drug Administration. The regulation applies to food product labels copyrighted or developed in 2027 or later. Should the federal government establish its own regulations concerning ultra-processed food labeling, this law would be preempted. The Texas bill illustrates the MAHA movement's particular focus on the "generally recognized as safe" or GRAS regulatory loophole that RFK Jr. announced an intent to close early on in his tenure as HHS secretary, that has allowed companies to introduce into the food system ingredients that have not been explicitly approved by the FDA.

Louisiana

Louisiana legislators sent a major piece of legislation in lockstep with nearly all key pillars of the MAHA initiative to the Governor's desk for signature in June 2025**.** Under **Senate Bill 14**, public schools will not serve students any food or beverage containing prohibited ingredients, and non-public schools that receive state funding will also not serve any food or beverage

containing a prohibited ingredient. This provision applies to breakfasts and lunches served to students on school campuses during regular school hours but not vending machines or concession stands. The bill further requires food manufacturers selling products in Louisiana to include a QR code on packages if their products contain certain artificial ingredients, including food dyes, aspartame and sucralose. The QR codes will link to a web page, managed by manufacturers, that include additional ingredient information. If products contain one or more of the ingredients listed within the legislation, web pages must contain a disclaimer letting consumers know that the product contains an ingredient that may be harmful to their health.

Also under the bill, all food service establishments that cook or prepare food using certain seed oils such as canola or sunflower oil will be required to display a disclaimer on the menu or other visible location in order to inform customers of their potential presence. As of June 23, the bill is still awaiting final signature by the governor. However, even if the governor fails to sign the bill, but also does not exercise the veto power, the bill will become law automatically at the end of June.

New York

A bill in New York requiring food manufacturers to disclose ingredients added under the GRAS regulatory loophole to the state has already passed the Senate and is being actively considered by the assembly. Companies using these ingredients must also submit safety data demonstrating that the ingredients are safe, and such assessments will be displayed in a public database. The bill would also prohibit certain food additives and chemical dyes in the general food supply. It will be unlawful to use red dye 3, potassium bromate and propylparaben in food products in the general food supply starting one year after the bill becomes law. Potassium bromate is a commonly used “flour improver” in the baking industry that strengthens dough, improves bread texture and allows for higher rising. Propylparaben is a common ingredient in products such as tortilla chips, processed cheeses and packaged baked goods.

In just six months, what began as a campaign slogan has become a legislative and regulatory overhaul that is capturing federal and state agendas, driving reform across a wide range of policy areas. It can be expected that federal agencies and Congress will continue to pursue comprehensive initiatives within their respective jurisdictions and states will remain the trailblazers of policies that may (and are likely designed to) trigger nationwide food system changes as the industry struggles to manage state-by-state compliance. MAHA is poised to deliver lasting change in the food and nutrition policy sector. As the nation awaits the next rendition of the DGAs and the reveal of the second MAHA Commission report, awareness and engagement remain critical tools for those who seek to shape, implement and respond to sweeping policy changes now underway.