

# Make America Healthy Again is ringing through statehouses across the U.S.

A slew of bills this legislative season are tapping into RFK Jr.'s unconventional health movement to reform nutrition, food labels, and much more

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**You're reading [The MAHA Diagnosis](#)**, a STAT series that examines the major elements of the Make America Healthy Again movement led by Robert F. Kennedy Jr.

From [cancer warning labels](#) to [soda taxes](#), progressive states like California and New York have long [led the way](#) on legislation meant to improve public health. Now the Make America Healthy Again movement is prompting lawmakers in more conservative states, like Texas, Florida, Oklahoma, and Utah, to join blue ones in introducing bills that aim to tackle chronic disease and other health issues.

Some of the new measures — like West Virginia's landmark bill, [signed into law Monday](#), banning most artificial dyes and two preservatives from sale in the state starting in 2028 — highlight how concern over the [safety of the U.S. food supply](#) is an increasingly nonpartisan issue. Other bills are more specific to the Make America Healthy Again movement, such as efforts to ban [fluoride from drinking water](#), restrict the use of mRNA, and make ivermectin, an antiparasitic drug that has been falsely claimed to treat [cancer](#) and [Covid-19](#), available over the counter.

But taken together, the wave of legislation captures the public frustration with the pace and efficacy of federal health oversight. With MAHA as an accelerant, states are attempting to exert influence over national policy and corporate practices that affect health.

“States do have power, and lots of it, to fight for change,” [Todd Wagner](#), the billionaire founder of food policy advocacy organization FoodFight USA, said at a press conference on March 13 in Florida as state

lawmakers introduced bills that would require warning labels on foods made with synthetic dyes and ban companies from making foods with certain additives. “We’ve got nearly 20 states now that have introduced food safety bills from both sides of the aisle.”

The moment has arrived thanks not only to the MAHA movement, but a combination of factors including funding from influential billionaires like Wagner himself, inspiration from California’s high-impact crackdown on food additives in 2023, and wellness influencers popularizing the concept of “clean eating,” which refers to eating minimally processed foods but can encompass everything from legitimate concerns over additives in the food supply to what most nutritionists consider alarmist rhetoric over seed oils. “It’s a combination of planets aligning, harmonic convergence,” said Brian Ronholm, director of food policy at Consumer Reports. “You meet with far-right members and far-left members and they’re in alignment in terms of wanting more transparency, wanting healthier options when it comes to consuming food.”

The Food Babe blogger and activist Vani Hari, a prominent member of the MAHA movement, framed Florida’s proposals as part of a larger strategy to pressure the food industry to reformulate its products. “If all the states do this work, we can demand that the food industry move very fast on this so we can protect the children of America all together,” she said at the conference.

STAT took a look at state actions underway on food safety, nutrition, and more.

## **Uniting against food additives**

In one recent example of state laws prompting change at the federal level, California in 2023 banned four food additives over concerns about their health consequences, two of which — red dye No. 3 and brominated vegetable oil— the Food and Drug Administration went on to ban last year under the Biden administration. State laws can shift industry practices, too: California’s law requiring baby food to be tested for lead and other heavy metals, which became effective in January of this year,

means that customers nationwide will now be able to see those test results by scanning a QR code on package labels.

A slew of new bills from states across the political spectrum look to build on that momentum. Trump's decision to pick Robert F. Kennedy Jr. as head of Health and Human Services "provide[d] a lot of political cover for red state legislators" and "gave them permission to move forward with a lot of these ideas," said Ronholm of Consumer Reports. "It's almost created this alternate universe."

### **Increasing regulation of food at the state level**

West Virginia's House Bill 2354, which prohibits the sale of seven food dyes as well as the preservatives butylated hydroxyanisole and propylparaben, was signed into law on Monday.

The legislators behind the bill said in a press conference last week that the MAHA movement, and specifically MAHA moms, turned their attention to the issue. As more states pass similar legislation, the food and beverage industries "will want one set of rules, not 50 sets of rules, and I think clearly one set of rules is the way to go," West Virginia state Sen. Jason Barrett, a Republican, said at the press conference. "We would call on the FDA to step up and make this decision for the country as a whole."

Oklahoma's Senate Bill 4, currently advancing through the state Senate, would ban 21 chemicals, including aspartame — the artificial sweetener found in many diet sodas that the World Health Organization has said may be linked to cancer, though in very large doses. Republican Sen. Kristen Thompson, who filed the Oklahoma bill late last year, said representatives from the food and beverage industry have expressed concern about a mismatched patchwork of regulations across the country. "They hate it," she told STAT. In response, Thompson said she tells companies to go talk to the federal government.

"I just inherently push against that because we do have the right as a state legislature to protect the people of Oklahoma," she said.

In Texas, state senators unanimously approved a "Make Texas Healthy Again" bill, requiring warning labels on foods with additives that are

banned in other countries, and passed another bill banning seven additives from school lunches. And Arizona Rep. Leo Biasiucci, a Republican, credited Kennedy's MAHA movement in discussing his bill HB 2164, which would ban 11 additives, including a number of synthetic dyes, from school lunches.

"It took Bobby to get into the position that he is in now for something to happen," Biasiucci said in February at a press conference, which also featured MAHA leader Calley Means. Both of them were at the MAHA Ball in D.C. in January, but Biasiucci said he'd been thinking about food additives since last year, when he traveled to Italy and noticed how the food left him feeling better than it would in the U.S. Since that trip, he's watched MAHA take hold in various states.

"It's just this perfect storm that has occurred that has allowed this to blow up into something incredible," Biasiucci told STAT, noting that Arizona took inspiration from California's ban in 2023 on certain dyes in public school lunches. He is hopeful that, with enough demand from school districts rewriting their cafeteria menus, the federal government will find new ways to help states cover the cost of healthier meals.

Other blue states — New York, Virginia, and Illinois among them — currently have food safety bills as part of efforts that predate the MAHA movement. New York's Food Safety and Chemical Disclosure Act would not only ban certain additives from sale in the state and being served in public schools, but would also require companies to disclose ingredients put in food via the "generally recognized as safe," or GRAS, process, which offers a workaround for avoiding government review.

New York state Sen. Brian Kavanagh, who's sponsoring the state bill, said the goal of the GRAS provision is to create more transparency around ingredients in the food New Yorkers eat, but that other states could also take advantage of the public database of additives the law would create. "At some point, maybe the federal government acts, or you end up with a sufficient number of states making the change that it ends up affecting the entire industry," he said.

Kennedy said earlier this month that he was directing the FDA to start planning to eliminate the GRAS loophole. But the timing and approach remain unclear.

“States aren’t waiting for FDA to deliver on big promises from the agency’s current leadership,” said Scott Faber, head of government affairs at the Environmental Working Group.

The food industry’s response to all this scrutiny is best described as “gradual resignation,” according to Ronholm. He’s heard rumblings that some companies are already making moves to reformulate their products without the additives states are targeting.

“They can read the political tea leaves,” he said. “They’re not going to make any type of announcement or acknowledge in any way, but they’ll do it quietly.”

Companies will also, apparently, send their executives to take friendly photo-ops with Kennedy.

## **Banning candy and soda from SNAP**

Kennedy and others in the MAHA movement have also said they want to introduce new restrictions to the Supplemental Nutrition Assistance Program (SNAP) that would prevent recipients from using the funds to buy soda, candy, and other ultra-processed foods. The anti-hunger program, for which the federal government provides full funding and splits operating costs with states, served an average 41 million Americans a month in 2024.

Various cities and states have attempted SNAP restrictions over the years; back in 2010, then-New York City Mayor Michael Bloomberg tried to make sugary drinks ineligible for SNAP, and his foundation has supported efforts to tax sodas. (Bloomberg Philanthropies provides some funding to STAT but is not involved in any editorial decisions.) The U.S. Department of Agriculture, which oversees SNAP, has consistently denied such requests, citing concerns about logistics and going beyond the program’s remit to focus on food insecurity as well as about stigmatizing low-income people.

Now Secretary of Agriculture Brooke Rollins has said she’s open to the idea of SNAP bans, and conservative states like Arizona, Utah, Texas, Idaho, Montana, West Virginia,

and Kansas are all floating bills that would stop low-income people from spending SNAP dollars on foods deemed unhealthy.

Historically, SNAP restrictions on soda and candy have had proponents and detractors on both sides of the aisle. Some Republicans argued that people shouldn't be spending government dollars on less nutritious food, while others objected to the idea of the government interfering with Americans' individual choices. Among Democrats, some liked the idea of a policy that could improve Americans' diet quality, while others said such measures are an excuse to cut benefits and penalize low-income people. (One Kansas Democrat responded to his Republican counterpart's SNAP proposal with an amendment suggesting the same restrictions apply to lawmakers' per diems.)

The current roster of state lawmakers advocating for SNAP bans on candy and soda are largely conservative, with rhetoric that emphasizes MAHA's focus on the role of diet in chronic disease. There's also support for the idea among some nutrition experts, including Jerold Mande, who worked on SNAP and other nutrition programs under the Obama administration.

"I'm encouraged because in the executive order creating the MAHA commission, they've put improving child health at the center," said Mande, who's now CEO of the nonprofit Nourish Science. "Government's most powerful lever in addressing these issues would be SNAP, and that's just because of how big it is."

## **Taxing candy, soda, and alcohol**

In other places, lawmakers are trying to enact what are commonly referred to as health taxes. They may now have the wind at their backs, after years of failed attempts to raise prices on products such as alcohol, candy, and sugary beverages.

A retired Massachusetts state representative, Kay Khan, has tried since the late 2010s to get her health-focused state to tax sugary drinks. Year after year, the cause went nowhere. "People just see, they see 'tax' and they just go 'no,'" she said.

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The latest version of the bill is in the state Senate. At the same time, Mass. Gov. Maura Healey has proposed a sales tax on candy as part of her budget proposal.

Khan, a former psychiatric nurse, said she can get behind MAHA's goals to make the public eat more healthfully. But she also expressed deep worry about Kennedy's views on vaccines, and on Trump administration cuts that are hurting medicine, science, and public health in her state.

“There are things that he's not respecting and that they're not paying attention to with all the research that is being done,” she said.

There is also the elephant-versus-donkey in the room: Democratic states and cities have been working since before MAHA was a recognizable acronym to take on big industry and lobbyists for the sake of health. Connecticut Rep. Rosa DeLauro in 2014 and 2015 introduced bills to tax sugary drinks on the federal level. The proposals died in committee. There are numerous other examples of efforts with the same fate.

And then, there are the successes. Last year, voters in the surfside city of Santa Cruz, Calif., passed an excise tax on sugary drinks despite a strong industry opposition campaign — and in defiance of a California law that preempts municipalities from creating new taxes on sugary drinks. (Other states have similar laws on the books, often backed by industry lobbyists.) Another California city, Berkeley, has had a so-called soda tax for over a decade, and it reduced consumption of sugar-sweetened beverages, researchers found.

Among the first groups in the U.S. to pass a tax on unhealthy foods was the Navajo Nation. In 2014, its Healthy Diné Nation Act placed a 2% tax on sugary drinks, foods high in salt, saturated fat, and sugar, and removed a 6% tax on healthy foods sold on the Nation. The tax revenue was allocated for community wellness programs, and the law was reauthorized in 2020.

## From fringe to legislatures

MAHA has taken on a life of its own beyond Kennedy, but his anti-establishment and anti-vaccine roots are also emboldening states on

issues like mRNA technology and vaccine exemptions, along with a variety of formerly fringe ideas.

Republican Sen. Dusty Deever introduced in January a package of six bills dubbed, “Make Oklahoma Healthy Again.” The unlikely combination of proposals knits together many of MAHA’s discordant facets.

There is a “Medical Freedom Act,” to cancel out vaccine mandates and protect whistleblowing doctors; but also a proposal to make health education in Oklahoma more conservative — free from “liberal versions of reproductive health, sex ed, gender theory, and psychological counseling.” There are bills to ban direct-to-consumer pharmaceutical advertising and to ensure companies have full liability in state courts — two favorite talking points of Kennedy and his pharma-opposing followers — plus a bill requiring drugmakers to publish a detailed list of ingredients in their products. They have all been referred to Senate committees.

Lawmakers in multiple states have introduced legislation banning or limiting the use of mRNA, the delivery method used in some Covid vaccines, as well as therapies for genetic conditions, cancer, and other diseases.

Just after the November election, Kennedy said he would convince water districts to make fluoride “disappear,” setting off a mainstream debate about the decades-long practice of water fluoridation. That online discourse has now found legs in state capitals.

Utah’s governor is expected to sign a bill banning fluoride in public drinking water throughout the state, despite scientific evidence showing fluoridation improves dental health and does not pose risks at commonly used levels. Kentucky is weighing a bill that would make fluoridation optional. Similar bills failed or were set aside in South Dakota, North Dakota, Tennessee, and Montana. Florida Gov. Ron DeSantis has been pushing for bans on fluoridation in the state alongside Florida Surgeon General Joseph Ladapo, who in November recommended against the practice, citing neuropsychiatric risks.



A number of states — including Minnesota, Missouri, West Virginia, Texas, Kentucky, South Carolina, Arkansas, Oklahoma, and Alabama — are also considering bills to make ivermectin for humans available for over-the-counter purchase. The medication is primarily used in animals and is approved to treat parasitic worms in humans, but became increasingly popular during the Covid-19 pandemic amid misinformation that touted it as an alternative to vaccines.

Research shows ivermectin is not effective in treating Covid, and people have been hospitalized for attempts to self-medicate with versions of the drug meant for livestock. Kennedy and others have nonetheless alleged that federal health officials squashed the use of ivermectin during the pandemic in order to drive profits toward vaccine manufacturers.

Now, Kennedy is in the seat of power he has for so long criticized. As he starts to figure out what parts of MAHA are feasible at the federal level, his legacy is already being solidified — creating some unique, though limited, opportunities for bipartisan proposals in an era largely defined by political division.

“From my perspective,” Kavanagh said, “there’s not a scenario right now where federal action is a substitute for states stepping up.”

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