Iowa State Board of Education

Executive Summary

November 18, 2026

Agenda Item: Rules – Notice of Intended Action – Chapter 58 (Amend)

Priority: Goal 1

State Board Role/Authority: This rulemaking is adopted under the authority provided in Iowa Code section 256.7(29).

Presenter(s): Thomas A. Mayes
General Counsel & Rules Coordinator

Attachment(s): One

Recommendation: It is recommended that the State Board of Education amend Chapter 58.

Background: This proposed rulemaking implements restrictions on foods and beverages containing ingredients on the list of prohibited ingredients in 2026 Iowa Acts, House File 2676, division V. The rulemaking also makes technical corrections and updates regulatory references.

A hearing on a regulatory analysis was conducted on November 17, 2026.

EDUCATION DEPARTMENT[281]

Notice of Intended Action

The State Board of Education hereby proposes to amend Chapter 58, "School Breakfast and Lunch Program; Nutritional Content Standards for Other Foods and Beverages," Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 256.7(29).

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 2026 Iowa Acts, House File 2676.

Purpose and Summary

This proposed rulemaking implements restrictions on foods and beverages containing ingredients on the list of prohibited ingredients in 2026 Iowa Acts, House File 2676, division V. The rulemaking also makes technical corrections and updates regulatory references.

A hearing on a regulatory analysis was conducted on November 17, 2026.

Fiscal Impact

This rulemaking has no fiscal impact to the state of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the State Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

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Public Comment

Any interested person may submit comments concerning this proposed rulemaking. Written comments in response to this rulemaking must be received by the State Board no later than 4:30 p.m. on December 29, 2026. Comments should be directed to:

Thomas A. Mayes
Grimes State Office Building
400 East 14th Street Des Moines, Iowa 50319
Phone: 515.281.8661
Email: thomas.a.mayes@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 19, 2026 8 to 9 a.m. Room B50 Grimes State Office Building
Online at meet.google.com/rzj-vjoq-xzy
Phone: 1-216-800-7069 (PIN: 779 738 530#)

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the State Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

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The following rulemaking action is proposed:

ITEM 1. Amend rule 281—58.1(256,283A) as follows:

281—58.1(256,283A) School breakfast and lunch program. The following regulations from the United States Department of ~~Education's~~ Agriculture's Food and Nutrition ~~Service~~ Administration governing the National School Lunch and School Breakfast programs and effective as of January ~~31, 2024~~ 1, 2026, are incorporated by reference: 7 CFR Parts 210, 215, 220, 225, 226, 227, 235, 240, 245, and 250, as well as related procurement regulations at 2 CFR Sections 200.317 through 200.326.

ITEM 2. Rescind rule 281—58.2(256) and adopt the following **new** rule in lieu thereof:

281—58.2(256,283A) Nutritional content standards for other foods and beverages—prohibited ingredients.

58.2(1) *General.* The following regulations from the United States Department of Agriculture's Food and Nutrition Administration governing the National School Lunch and School Breakfast programs, effective as of January 1, 2026, are incorporated by reference: 7 CFR Parts 210 and 220.

58.2(2) *Prohibited ingredients.*

a. General. Iowa Code section 283A.6 as enacted by 2026 Iowa Acts, House File 2676, division V, is incorporated by reference.

b. Applicability. For purposes of this subrule, a school employee or contracted vendor provides a food or beverage to students if the food or beverage is part of the school breakfast or school lunch program or if it is offered for sale during the school day.

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c. Rule of construction. Compliance with this subrule will not violate any federal health, safety, or civil rights law, including Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794, as effective on January 1, 2026.

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