

HB139 ENGROSSED



1 HB139
2 JPXS4NF-2
3 By Representative Crawford
4 RFD: Health
5 First Read: 13-Jan-26
6 PFD: 09-Jan-26



HB139 Engrossed

A BILL
TO BE ENTITLED
AN ACT

Relating to food enrichment; to amend Section 20-1-71, as amended by Act 2025-387, 2025 Regular Session, and Section 20-1-79, as added by Act 2025-387, 2025 Regular Session, Code of Alabama 1975, to add corn masa flour to the corn masa products that must be enriched with folic acid; to further provide for the corn masa products exempt from this requirement; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 20-1-71, as amended by Act 2025-387, 2025 Regular Session, and Section 20-1-79, as added by Act 2025-387, 2025 Regular Session, Code of Alabama 1975, are amended to read as follows:

"§20-1-71

When used in this article, the following terms have the following meanings, unless the context clearly indicates otherwise:

(1) APPROPRIATE FEDERAL AGENCY. The federal agency or department or administrative federal officer charged with the enforcement and administration of the federal Food, Drug and



HB139 Engrossed

Cosmetic Act.

(2) BOARD. The Alabama State Board of Agriculture and Industries.

(3) BREAD. Bread, rolls, or buns of every kind and description made wholly or partly from wheat flour which conforms to the definition and standard of identity of bread set out in 21 C.F.R. Part 136. The term does not include bread containing no wheat flour or breads made from 100 percent whole wheat flour. The term includes breads made from mixtures of white flour and whole wheat flour, known as brown breads.

(4) CORN MASA. ~~A dry flour-type~~ product made from corn that has been treated with slaked lime or otherwise undergoes a process known as nixtamalization.

(5) CORN MASA FLOUR. A dry flour-type product made from drying corn masa.

~~(5)(6)~~ CORN MASA PRODUCT. Any food product ~~containing~~ made primarily from corn masa or corn masa flour.

~~(6)(7)~~ CORNMEAL. All meal for human consumption made from corn, either white or yellow, whole cornmeal, bolted cornmeal, and degerminated cornmeal as defined in definitions and standards of identity set out in 21 C.F.R. Part 137.

~~(7)(8)~~ ENRICHMENT. As applied to bread, flour, meal, or grits, the addition ~~thereto~~ of vitamins and other ingredients of the nature required by this article. and The terms "enriched bread," "enriched flour," "enriched whole cornmeal," "enriched bolted meal," "enriched degerminated meal," ~~or~~ and "enriched grits" ~~means~~ mean the appropriate food product, according to the federal standards of identity, which has been



HB139 Engrossed

enriched to conform to the requirements of this article.

~~(8)~~ (9) FLOUR.

a. ~~Flour, white~~ White flour, wheat flour, and plain flour.

b. Bromated flour.

c. Self-rising flour, self-rising white flour, and self-rising wheat flour.

d. Phosphated flour, phosphated white flour, and phosphated wheat flour in the definitions and standards of identity set out in 21 C.F.R. Part 137. The term includes all mixtures of flours with whole wheat or high-extraction flours. The term does not include 100 percent whole wheat flour and specially packaged cake and pancake flour.

~~(9)~~ (10) GRITS. Grits, pearl grits, and degerminated grits made from corn by grinding or cracking as defined in the standards of identity set out in 21 C.F.R. Part 137.

~~(10)~~ (11) PERSON. An individual, corporation, partnership, association, joint stock company, trust, or any unincorporated organization."

"§20-1-79

(a) No person shall manufacture, mix, compound, sell, trade, or offer for sale or trade for human consumption any corn masa flour or corn masa product in this state ~~unless the following ingredients are contained in each pound thereof~~ except in accordance with the following:

(1) ~~For corn~~ Corn masa flour, not less than shall contain 0.7 milligrams of folic acid per pound of flour, within an acceptable industry standard deviation of error.



HB139 Engrossed

85 (2) ~~For corn~~ Corn masa products, ~~not less than~~ shall
86 contain 0.4 milligrams of folic acid per pound of end product,
87 within an acceptable industry standard deviation of error.

88 (b) This section shall not apply to ~~either~~ any of the
89 following:

90 (1) Corn masa flour or corn masa products made by or
91 supplied to a cottage food production operation.

92 (2) Corn masa flour or corn masa products offered for
93 sale by a grocery store offering conforming products.

94 (3) Snack foods. For the purposes of this subdivision,
95 the term "snack food" means a food product that is intended
96 for immediate consumption, is typically prepackaged in small
97 or single-serving portions, and is primarily consumed between
98 meals, including, but not limited to, chips, crisps, or
99 extruded food products. The term does not include a food
100 product primarily made from corn masa flour or wet corn masa
101 products that is bulk packaged or is commonly used as a
102 primary ingredient in meal preparation, including, but not
103 limited to, tortillas.

104 Section 2. This act shall become effective on October
105 1, 2026.



HB139 Engrossed

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House of Representatives

109 Read for the first time and referred13-Jan-26
110 to the House of Representatives
111 committee on Health
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113 Read for the second time and placed21-Jan-26
114 on the calendar:
115 1 amendment
116
117 Read for the third time and passed05-Feb-26
118 as amended
119 Yeas 81
120 Nays 14
121 Abstains 9
122
123
124
125
126

John Treadwell
Clerk