

HB139 ENROLLED



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



HB139 Enrolled

1 Enrolled, An Act,

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3 Relating to food enrichment; to amend Section 20-1-71,
4 as amended by Act 2025-387, 2025 Regular Session, and Section
5 20-1-79, as added by Act 2025-387, 2025 Regular Session, Code
6 of Alabama 1975, to add corn masa flour to the corn masa
7 products that must be enriched with folic acid; to further
8 provide for the corn masa products exempt from this
9 requirement; and to make nonsubstantive, technical revisions
10 to update the existing code language to current style.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 20-1-71, as amended by Act 2025-387,
13 2025 Regular Session, and Section 20-1-79, as added by Act
14 2025-387, 2025 Regular Session, Code of Alabama 1975, are
15 amended to read as follows:

16 "§20-1-71

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

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

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

26 (3) BREAD. Bread, rolls, or buns of every kind and
27 description made wholly or partly from wheat flour which
28 conforms to the definition and standard of identity of bread



HB139 Enrolled

29 set out in 21 C.F.R. Part 136. The term does not include bread
30 containing no wheat flour or breads made from 100 percent
31 whole wheat flour. The term includes breads made from mixtures
32 of white flour and whole wheat flour, known as brown breads.

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

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

38 ~~(5)~~ (6) CORN MASA PRODUCT. Any food product ~~containing~~
39 made primarily from corn masa or corn masa flour.

40 ~~(6)~~ (7) CORNMEAL. All meal for human consumption made
41 from corn, either white or yellow, whole cornmeal, bolted
42 cornmeal, and degerminated cornmeal as defined in definitions
43 and standards of identity set out in 21 C.F.R. Part 137.

44 ~~(7)~~ (8) ENRICHMENT. As applied to bread, flour, meal, or
45 grits, the addition ~~thereto~~ of vitamins and other ingredients
46 of the nature required by this article. ~~and~~ The terms
47 "enriched bread," "enriched flour," "enriched whole cornmeal,"
48 "enriched bolted meal," "enriched degerminated meal," ~~or~~ and
49 "enriched grits" ~~means~~ mean the appropriate food product,
50 according to the federal standards of identity, which has been
51 enriched to conform to the requirements of this article.

52 ~~(8)~~ (9) FLOUR.

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

55 b. Bromated flour.

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



HB139 Enrolled

57 self-rising wheat flour.

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

64 ~~(9)~~ (10) GRITS. Grits, pearl grits, and degerminated
65 grits made from corn by grinding or cracking as defined in the
66 standards of identity set out in 21 C.F.R. Part 137.

67 ~~(10)~~ (11) PERSON. An individual, corporation,
68 partnership, association, joint stock company, trust, or any
69 unincorporated organization."

70 "§20-1-79

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

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

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

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

84 (1) Corn masa flour or corn masa products made by or



HB139 Enrolled

85 supplied to a cottage food production operation.

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

88 (3) Snack foods. For the purposes of this subdivision,
89 the term "snack food" means a food product that is intended
90 for immediate consumption and is primarily consumed between
91 meals, regardless of packaging size, including, but not
92 limited to, chips, crisps, or extruded food products. The term
93 does not include a food product primarily made from corn masa
94 flour or wet corn masa products that is bulk packaged or is
95 commonly used as a primary ingredient in meal preparation,
96 including, but not limited to, tortillas.

97 Section 2. This act shall become effective on October
98 1, 2027.



HB139 Enrolled

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 05-Feb-26, as amended.

John Treadwell
Clerk

Senate	08-Apr-26	Amended and Passed
House	09-Apr-26	Concurred in Senate Amendment