

HB139 INTRODUCED



1 HB139
2 ZQ9SIRW-1
3 By Representative Crawford
4 RFD: Health
5 First Read: 13-Jan-26
6 PFD: 09-Jan-26



SYNOPSIS:

Existing law prohibits the manufacture or sale of corn masa food products that are not enriched with a minimum amount of folic acid.

Existing law also exempts certain types of corn masa products from this requirement.

This bill would add corn masa flour to the products that must be enriched.

This bill would revise the corn masa products that are exempt from this requirement to include certified organic corn masa flour and products.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

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



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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 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.



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

59 ~~(5)~~ (6) CORN MASA PRODUCT. Any food product ~~containing~~
60 made primarily from corn masa or corn masa flour.

61 ~~(6)~~ (7) CORNMEAL. All meal for human consumption made
62 from corn, either white or yellow, whole cornmeal, bolted
63 cornmeal, and degerminated cornmeal as defined in definitions
64 and standards of identity set out in 21 C.F.R. Part 137.

65 ~~(7)~~ (8) ENRICHMENT. As applied to bread, flour, meal, or
66 grits, the addition ~~thereto~~ of vitamins and other ingredients
67 of the nature required by this article. ~~and~~ The terms
68 "enriched bread," "enriched flour," "enriched whole cornmeal,"
69 "enriched bolted meal," "enriched degerminated meal," ~~or~~ and
70 "enriched grits" ~~means~~ mean the appropriate food product,
71 according to the federal standards of identity, which has been
72 enriched to conform to the requirements of this article.

73 ~~(8)~~ (9) FLOUR.

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

76 b. Bromated flour.

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

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



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~~(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:

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

(2) For corn masa products, not less than 0.4 milligrams of folic acid, within an acceptable industry standard deviation of error.

(b) This section shall not apply to either of the following:

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

(2) ~~Corn~~ Certified organic corn masa flour or corn masa products ~~offered for sale by a grocery store offering conforming products~~.

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