

**HB172 INTRODUCED**



1      HB172  
2      RBHLLYM-1  
3      By Representative Robbins  
4      RFD: Health  
5      First Read: 13-Jan-26



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4     SYNOPSIS:

5                 This bill would define ingredient, artificial  
6                 ingredient, and natural ingredient.

7                 This bill would explicitly prohibit the labeling  
8                 of food articles as all-natural or including only  
9                 natural ingredients if the article contains any  
10                 artificial ingredient.

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13                 A BILL

14                 TO BE ENTITLED

15                 AN ACT

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17                 Relating to food labeling; to amend Sections 20-1-20  
18                 and 20-1-25, Code of Alabama 1975; to define artificial and  
19                 natural ingredients; and to prohibit the labeling of food  
20                 articles as only natural if the article contains any  
21                 artificial ingredient.

22                 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23                 Section 1. Sections 20-1-20 and 20-1-25, Code of  
24                 Alabama 1975, are amended to read as follows:

25                 "§20-1-20

26                 When used in this chapter, the following ~~words and~~  
27                 phrases~~terms~~shall have the following meanings, respectively,  
28                 unless the context clearly indicates otherwise:



29                             (1) ARTICLE. When referring to food or drugs, ~~such the~~  
30 term is used in the broad and comprehensive sense and has  
31 reference to the food product or the drug product in question.

32                             (2) ARTIFICIAL INGREDIENT. An ingredient that is  
33 synthetically created or modified by humans.

34                             ~~(2)~~(3) BABY FOOD. A food ~~which~~that purports to be or is  
35 represented for special dietary use as a food for babies by  
36 reason of its special formulation or its particular  
37 suitability for children under two years of age.

38                             ~~(3)~~(4) BOARD. The State Board of Agriculture and  
39 Industries.

40                             ~~(4)~~(5) CLASS A FOODS. Baby food, infant formula, and  
41 potentially hazardous food.

42                             ~~(5)~~(6) COMMISSIONER. The Commissioner of Agriculture  
43 and Industries.

44                             ~~(6)~~(7) DEALER. A manufacturer, wholesaler, retailer,  
45 jobber, and similar establishments, mobile or permanent,  
46 engaged in the sale of food for consumption on premises.

47                             ~~(7)~~(8) DEPARTMENT. The Department of Agriculture and  
48 Industries.

49                             ~~(8)~~(9) DRUG. All medicines and preparations recognized  
50 in the United States pharmacopoeia or national formulary for  
51 internal or external use and any substance or mixture of  
52 substances to be used for the cure, mitigation, or prevention  
53 of disease in ~~man~~humans or domestic animals.

54                             ~~(9)~~(10) FOOD. All articles of food, drink,  
55 confectionery, or condiment, whether simple, mixed, or  
56 compound, used or intended for use by ~~man~~humans or domestic



57 animals.

58        ~~(10)~~ (11) FOOD SALES ESTABLISHMENT. Retail and wholesale  
59 stores and places of business, and similar establishments,  
60 mobile or permanent, engaged in the sale of food primarily for  
61 consumption ~~off the premises~~off-premises.

62        ~~(11)~~ (12) INFANT FORMULA. A food which purports to be or  
63 is represented for special dietary use solely as a food for  
64 infants by reason of its simulation of human milk or its  
65 suitability as a complete or partial substitute for human  
66 milk.

67        (13) INGREDIENT. Any single chemical entity or mixture  
68 used as a component in the manufacture of a food or drug  
69 article.

70        ~~(12)~~ (14) LABEL. A display of written, printed, or  
71 graphic matter upon the immediate container of any article.

72        ~~(13)~~ (15) MISBRANDED. ~~Such term shall apply to all drugs~~  
73 ~~or foods or articles which enter into the composition of food,~~  
74 ~~the~~The package or label of ~~which~~any drug, food, article, or  
75 ingredient ~~shall bear or contain~~that bears or contains any  
76 statement, design, or device regarding ~~such~~the article or ~~the~~  
77 ingredients~~or substances~~ contained therein ~~which shall be that~~  
78 is false or misleading in any ~~particular and to any food or~~  
79 ~~drug product which is falsely branded~~way, including as to the  
80 state, territory, or country in which it is manufactured or  
81 produced.

82        (16) NATURAL INGREDIENT. A food or drug ingredient that  
83 does not include any synthetic or artificial chemicals that  
84 would not normally be expected in that food or drug



85 ingredient.

86 ~~(14)~~ (17) OPEN-DATE STATEMENT. The terms "Sell By";  
87 "Freeze By"; "Sell or Freeze By"; "Not to be Sold After";  
88 "Best if Used By"; "Expiration"; or other terms as defined by  
89 ~~rules or regulations~~rule; or a date without additional words  
90 shall be considered an open-date statement.

91 ~~(15)~~ (18) OUT-OF-DATE. Any article with a label  
92 containing an open-date statement with a date affixed ~~thereto~~  
93 ~~which~~that has passed.

94 ~~(16)~~ (19) PERSON. An individual, partnership,  
95 corporation, ~~or~~ association, or any combination thereof.

96 ~~(17)~~ (20) POTENTIALLY HAZARDOUS FOOD. A food that is  
97 natural or synthetic and that requires temperature control  
98 because it is in a form capable of supporting rapid and  
99 progressive growth of infectious or toxigenic microorganisms.  
100 ~~or the~~ growth and toxin production of Clostridium botulinum.  
101 or ~~the~~ growth of Salmonella Enteritidis. The term does not  
102 include foods ~~which~~that have a pH level 1 of 4.6 or below~~or~~or,  
103 a water activity (a<sub>sub</sub> w) of 0.85 or less~~or~~or food products  
104 in hermetically sealed containers processed to achieve and  
105 maintain commercial sterility under unrefrigerated conditions.  
106 The foregoing notwithstanding, the board may by rule adopt the  
107 definition for "Potentially Hazardous Food" set out in  
108 subparagraph 1-201.10 (B) (61), Food Code, 1999 Recommendations  
109 of the United States Public Health Service, Food and Drug  
110 Administration, National Technical Information Service  
111 Publication, PB99-115929.

112 ~~(18)~~ (21) STANDARD OF PURITY OR QUALITY. The standards



113 of purity for food products ~~promulgated~~adopted by the State  
114 Board of Agriculture and Industries and by statutes of this  
115 state."

116 "§20-1-25

117 An article of food shall be deemed misbranded in all of  
118 the following cases:

119 (1) If it is offered for sale under the name of another  
120 article~~+~~.

121 (2) If it is labeled or branded so as to deceive or  
122 mislead the purchaser, or purports to be a foreign product  
123 when ~~not so~~it is not, or if the contents of the package as  
124 originally put up~~shall~~ have been removed in whole or in part  
125 and other contents shall have been placed in ~~such~~the package~~+~~.

126 (3) If, in package form, the name of the article~~+~~  
127 ~~together with~~ the quantity of the contents in terms of weight,  
128 measure, or numerical count~~+~~ and the name and principal  
129 address of the manufacturer or other person responsible for  
130 placing the article on the market are not plainly and  
131 conspicuously marked on the outside of the package~~+~~.

132 (4) If, in package form, the package is not filled with  
133 the food it purports to contain within the limits of tolerance  
134 fixed by the State Board of Agriculture and Industries,  
135 irrespective of whether the quantity of the contents is  
136 plainly and conspicuously marked on the outside of the package  
137 in terms of weight, measure, or numerical count~~+~~.

138 (5) If the package containing it or its label ~~shall~~  
139 ~~bear~~bears any statement, design, or device regarding the  
140 ingredients~~or the substances contained therein, which and the~~



141 statement, design, or device ~~shall be~~is false or misleading ~~in~~  
142 ~~any particular.~~

143 (6) If, in bulk, it is colored so as to deceive or  
144 mislead the purchaser~~r.~~

145 (7) If it is offered for sale under false  
146 representations~~r.~~

147 (8) If it is an imitation of another article and is not  
148 marked with the word "imitation," followed, without  
149 intervening descriptive matter, by a list of the ingredients  
150 contained therein~~r.~~

151 (9) If it is a compound for which no standard of purity  
152 or quality has been established, and it is not labeled with  
153 the word "compound," followed, without intervening descriptive  
154 matter, by a list of the ingredients; ~~provided,~~ ~~that in the~~  
155 ~~case of~~ An article shall not be deemed misbranded if it is a  
156 compound ~~which may be now or from time to time hereafter~~that  
157 is known or becomes known as an article of food under its own  
158 distinctive name ~~and which, the article~~ is not an imitation of  
159 or offered for sale under the name of another article, ~~it~~  
160 ~~shall not be deemed to be misbranded if, and~~ the name of the  
161 article is accompanied on the same label or brand with a  
162 statement of the place where ~~such~~the article was manufactured  
163 or produced~~r.~~

164 (10) If the package, label, or brand fails to give the  
165 ingredients~~or substances~~ by their common names.

166 (11) If the food article includes an artificial  
167 ingredient, but the package, label, or brand states that the  
168 food article (i) contains only natural ingredients, (ii) is



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169 all natural, and (iii) provides other words of assurance to  
170 the consumer that the food article does not contain artificial  
171 ingredients."

172           Section 2. This act shall become effective on October  
173       1, 2026.