

## HB172 INTRODUCED



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



SYNOPSIS:

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

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

A BILL  
TO BE ENTITLED  
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§20-1-20

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



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

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

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

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

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

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

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

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

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

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



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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



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ingredient.

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

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

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

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

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



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

"§20-1-25

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

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

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

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

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

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



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

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

(7) If it is offered for sale under false representations~~;~~.

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

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

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

(11) If the food article includes an artificial ingredient, but the package, label, or brand states that the 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.