

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 1912

By: Pae

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8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to folic acid; creating the Corn Masa
10 Nutrition Enhancement Act; defining terms; requiring
11 corn masa flour contain certain amounts of folic
12 acid; requiring wet corn masa product contain certain
13 amounts of folic acid; requiring nutritional
14 labeling; requiring manufacture labeling; providing
15 exceptions; providing for codification; and providing
16 an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-1145 of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 This act shall be known and may be cited as the "Corn Masa
22 Nutrition Enhancement Act".

23 SECTION 2. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 1-1145.1 of Title 63, unless
there is created a duplication in numbering, reads as follows:

1 A. As used in this section:

2 1. "Corn masa flour", also commonly known as masa harina, means
3 a dry flour-type product made from corn that has been treated with
4 slaked lime or otherwise undergoes a process known as
5 nixtamalization;

6 2. "Snack foods" means pre-packaged food items typically
7 intended for immediate consumption, characterized by small or
8 single-serving portions, and designed primarily for consumption
9 between meals. This includes, but is not limited to, products such
10 as chips, crisps, or extruded snack products, often sold
11 individually or in small bags or containers. Snack foods shall not
12 include bulk-packaged corn masa products or other items commonly
13 used as primary ingredients in meal preparation, such as tortillas;
14 and

15 3. "Wet corn masa product" means food manufactured by using an
16 alkali solution with corn kernels to transform them into nixtamal.
17 Wet corn masa product does not include products made with corn masa
18 flour.

19 B. 1. Commencing January 1, 2027, corn masa flour
20 manufactured, sold, delivered, distributed, held, offered for sale,
21 or used as an ingredient in the manufacture of a food product shall
22 contain folic acid at a level of seven-tenths (0.7) milligrams of
23 folic acid per pound of corn masa flour within an acceptable
24 industry standard deviation of error.

1 2. Commencing January 1, 2027, wet corn masa product
2 manufactured, sold, delivered, distributed, held, offered for sale,
3 or used as an ingredient in the manufacture of a food product shall
4 contain folic acid at a level of four-tenths (0.4) milligrams of
5 folic acid per pound of end product within an acceptable industry
6 standard of deviation of error.

7 C. Commencing January 1, 2027, corn masa flour or a wet corn
8 masa product shall include both of the following:

9 1. A declaration of folic acid on the nutrition label in
10 accordance with applicable federal law, including, but not limited
11 to, 21 C.F.R., Section 101.9; and

12 2. A declaration that the product contains corn masa flour or
13 was manufactured through a wet corn masa manufacturing process.

14 D. 1. A person or entity may manufacture, sell, deliver,
15 distribute, hold, offer for sale, or use as an ingredient in the
16 manufacture of products corn masa flour that does not meet the
17 requirements of paragraph 1 of subsection B of this section, if they
18 meet the definition of, or are suppliers to, any of the following:

- 19 a. a cottage food operation,
- 20 b. a food facility, or
- 21 c. a small-volume operator.

22 2. This section shall not apply to snack foods.

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1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-1145.2 of Title 63, unless
3 there is created a duplication in numbering, reads as follows:

4 A. Nothing in this act shall be construed to require the
5 mandatory addition of synthetic folic acid to any food product when
6 an alternative form of folate is lawfully available and medically
7 appropriate.

8 B. Any requirement or authorization under this act relating to
9 folate supplementation shall allow the use of alternative, naturally
10 occurring or biologically active forms of folate, including but not
11 limited to L-methylfolate or folinic acid, in lieu of synthetic
12 folic acid.

13 C. No person, food producer, processor, retailer, or parent
14 shall be penalized, restricted, or otherwise disadvantaged for
15 choosing, producing, selling, or consuming food products that
16 utilize an alternative form of folate or that do not contain
17 synthetic folic acid.

18 D. Nothing in this act shall be interpreted to override
19 parental rights, informed consent, or individualized medical
20 decision-making, particularly for individuals with known or
21 suspected genetic conditions affecting folate metabolism, including
22 but not limited to MTHFR gene variants.

23 E. Any public health guidance issued pursuant to this act shall
24 include clear disclosure that:

1 1. Synthetic folic acid is not metabolized equally by all
2 individuals; and

3 2. Alternative forms of folate exist and may be more
4 appropriate for certain populations.

5 SECTION 4. This act shall become effective November 1, 2026.

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