

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2128

By: Grellner

AS INTRODUCED

An Act relating to food emancipation; creating the Food Emancipation and Sovereignty Act of 2026; providing short title; defining terms; allowing for certain locally grown foods to be exempt from federal oversight; providing for certain regulations; authorizing State Board of Agriculture to promulgate rules for safety and labeling; allowing certain persons to register with the Oklahoma Department of Agriculture, Food, and Forestry as direct food sellers to meet requirements; providing for noncodification; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Food Emancipation and Sovereignty Act of 2026".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 5-3.6 of Title 2, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1        1. "Direct sale" means the sale or exchange of food products  
2 directly from a producer to an end consumer, including through farm  
3 stands, farmers' markets, delivery arrangements, or community-  
4 supported agriculture or on farm, "farm-to-table" meals;

5        2. "Local food product" means any meat, grain, dairy, eggs,  
6 nuts, honey, vegetable, fruit, or baked or prepared food product  
7 that is produced, processed, or cooked entirely within the state;

8        3. "Producer" means an individual or family farm, ranch,  
9 bakery, dairy, or kitchen operating within the state that raises,  
10 grows, harvests, or creates agricultural or food products for direct  
11 sale; and

12        4. "State jurisdiction" means regulatory or inspection  
13 authority administered by a state agency, county, or municipal  
14 government of this state.

15        SECTION 3.        NEW LAW        A new section of law to be codified  
16 in the Oklahoma Statutes as Section 5-3.7 of Title 2, unless there  
17 is created a duplication in numbering, reads as follows:

18        A. Food products that are produced, processed, and sold  
19 entirely within the state and do not enter interstate commerce shall  
20 be deemed under exclusive state jurisdiction.

21        B. The sale or provision of local food products directly from a  
22 producer in this state to a consumer in this state shall be exempt  
23 from federal oversight, licensing, or food inspection including, but  
24 not limited to, regulations administered by the United States Food

1 and Drug Administration or the United States Department of  
2 Agriculture, to the fullest extent permitted by federal law.

3 C. The Oklahoma Department of Agriculture, Food, and Forestry  
4 shall promulgate simplified safety and labeling standards applicable  
5 only to intrastate transactions under this section, ensuring:

- 6 1. Clarity of origin labeling;
- 7 2. Transparency of direct-product ingredients; and
- 8 3. Minimum sanitation requirements consistent with food safety  
9 best practices.

10 SECTION 4. NEW LAW A new section of law to be codified  
11 in the Oklahoma Statutes as Section 5-3.8 of Title 2, unless there  
12 is created a duplication in numbering, reads as follows:

13 A. No state or local agency shall penalize or restrict a  
14 producer from selling local food directly to consumers provided the  
15 transaction occurs wholly within state boundaries.

16 B. No state or local agency shall penalize or restrict the  
17 sales of local producers whether through monetary sales restrictions  
18 or limiting the quantity of products sold.

19 C. Producers may, but are not required to, register with the  
20 Oklahoma Department of Agriculture, Food, and Forestry as "Oklahoma  
21 Direct Food Sellers" to qualify for simplified labeling and  
22 cooperative marketing support.  
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1 D. The allowable state fees or permits for producers shall not  
2 exceed a seventy-five-dollar one-time plan review fee, seventy-five-  
3 dollar credential fee, and seventy-five-dollar annual renewal fee.

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

5 SECTION 6. It being immediately necessary for the preservation  
6 of the public peace, health or safety, an emergency is hereby  
7 declared to exist, by reason whereof this act shall take effect and  
8 be in full force from and after its passage and approval.

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