STATE OF NEW YORK

10120

IN SENATE

April 30, 2026

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to corn masa flour and wet corn masa product

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The agriculture and markets law is amended by adding a new section 215-d to read as follows:

§ 215-d. Corn masa flour. 1. For purposes of this section, the following terms shall have the following meanings:

(a) "Corn masa flour" shall mean a dry flour-type product made from corn that has been treated with slaked lime or otherwise undergoes a process known as nixtamalization, which shall also include, but not be limited to, masa harina.

(b) "Wet corn masa product" shall mean food manufactured by using an alkali solution with corn kernels to transform them into nixtamal. Wet corn masa product shall not include products made with corn masa flour.

2. (a) All corn masa flour manufactured, sold, delivered, distributed, held, offered for sale, or used as an ingredient in the manufacture of a food product shall contain 0.7 milligrams of folic acid per pound of corn masa flour within an acceptable industry standard deviation of error.

(b) All wet corn masa product manufactured, sold, delivered, distributed, held, offered for sale, or used as an ingredient in the manufacture of a food product shall contain folic acid at a level of 0.4 milligrams of folic acid per pound of end product within an acceptable industry standard of deviation of error.

3. All corn masa flour and wet corn masa product packaging shall include:

(a) a declaration of folic acid on the nutrition label in accordance with applicable federal law, including, but not limited to, section 101.9 of title 21 of the code of Federal Regulations; and

(b) a declaration that the product contains corn masa flour or was manufactured through a wet corn masa manufacturing process.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.