

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 5119

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 15, 2026

The Assembly Agriculture and Natural Resources Committee reports favorably and with committee amendments Assembly Bill No. 5119.

As amended, this bill establishes the “Fortifying Corn Masa Act,” which requires the fortification of corn masa flour, allows the fortification of wet corn masa products, and establishes certain labeling requirements.

No later than one year after the effective date of this bill, all corn masa flour that is manufactured, sold, distributed, or used in food products in the State is required to be fortified with folic acid at a level of 0.7 milligrams per pound, within an acceptable industry standard deviation of error. Under the bill, “corn masa flour,” also commonly known as masa harina, is defined as a dry flour-type product made from corn that has been treated with slaked lime or otherwise undergoes nixtamalization.

The bill further provides that its provisions allow wet corn masa products to contain folic acid at a level of 0.4 milligrams per pound of the final product, within an acceptable industry standard deviation of error. Under the bill, “wet corn masa product” is defined as food manufactured using an alkali solution with corn kernels to transform the product into nixtamal. The bill defines “nixtamal” as dried corn kernels that have been soaked and cooked in an alkaline solution to facilitate the removal of the corn kernel’s outer skin and enhance nutritional properties.

No later than one year after the bill’s effective date, corn masa flour and wet corn masa products are required to meet certain labeling requirements. Specifically, the nutrition label is required to include a declaration of folic acid in accordance with applicable federal law or regulation, including federal nutrition labeling standards, and to clearly indicate whether the product contains corn masa flour or was manufactured using a wet corn masa process.

The bill’s provisions do not apply to: (1) a person who holds a valid cottage food operator permit; (2) a grocery store, as defined under the bill, that offers for retail sale corn masa flour that does not

contain folic acid, provided that the grocery store also offers for retail sale corn masa flour that complies with the folic acid requirements under the bill; or (3) snack foods, as defined under the bill.

The bill authorizes the Commissioner of Health to grant exemptions to a person or a specific product from the bill's requirements if fortification is not technically feasible; would impose a financial hardship; is intended for a specialized use where folic acid fortification is unnecessary; or should be exempted for good cause as determined by the commissioner.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) include the definition for "grocery store" as a store primarily engaged in the retail sale of canned foods, dry goods, fresh fruits and vegetables, and fresh meats, fish, and poultry, including any area within the store in which food is prepared or served that is not separately owned; the term includes a convenience store;

(2) include the definition for "snack foods" as trail mix or similar snack product, popcorn, chips, crackers, hard pretzels, pork rinds, corn nuts, nuts excluding pine nuts and candy-coated nuts, and packaged carbonated and noncarbonated soft drinks containing natural or artificial sweeteners; and

(3) clarify that the provisions of the bill do not apply to a grocery store that offers for retail sale corn masa flour that does not contain folic acid, provided that the grocery store also offers for retail sale corn masa flour that complies with the folic acid requirements under the bill, or snack foods.