

By Senator Arrington

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A bill to be entitled  
An act relating to fortification of enriched grain products with folic acid; creating s. 500.072, F.S.; providing legislative findings and intent; defining terms; requiring that enriched grain products offered for human consumption in this state contain folic acid; providing labeling requirements for such products; providing applicability; providing penalties; requiring the Department of Agriculture and Consumer Services, in coordination with the Department of Health, to enforce certain provisions; authorizing the departments to adopt rules; requiring the Department of Health to submit specified reports to the Legislature; providing an appropriation; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Effective January 1, 2027, section 500.072, Florida Statutes, is created to read:

500.072 Fortification of enriched grain products.-

(1)(a) The Legislature finds that:

1. Neural tube defects, including spina bifida and anencephaly, are serious birth defects of the brain and spine which occur early in pregnancy and cause lifelong disability and substantial health care costs.

2. The United States Food and Drug Administration mandated folic acid fortification of wheat flour and other grain products in 1996, leading to a significant reduction in rates of neural

25-00740A-26

2026850\_\_

30 tube defects nationally.

31 3. Minority populations in this state disproportionately  
32 consume corn masa and white rice, which are not consistently  
33 fortified with folic acid, contributing to persistently higher  
34 rates of neural tube defects among these populations.

35 4. In this state, an average of 2.5 cases of spina bifida  
36 per 10,000 live births were reported from 2016 to 2021, with  
37 Hernando, Escambia, and Marion Counties exceeding state averages  
38 with 8.9 cases, 6.3 cases, and 5.8 cases per 10,000 live births,  
39 respectively.

40 5. Each case of spina bifida carries an estimated lifetime  
41 medical and social cost of \$800,000 to \$1.4 million, much of  
42 which is borne by Florida Medicaid and other public programs.

43 6. Fortifying grain products with folic acid is a proven,  
44 cost-effective preventive measure that can avert cases of neural  
45 tube defects, reduce long-term public expenditures related to  
46 such defects, and promote health across communities in this  
47 state.

48 7. Early folic acid intake has been associated with reduced  
49 risk for certain neurodevelopmental conditions, adding further  
50 potential public health benefit.

51 (b) It is the intent of the Legislature to reduce the  
52 incidence of neural tube defects and increase vitamin intake  
53 across this state in order to decrease the public health and  
54 fiscal burden associated with preventable birth defects and  
55 other associated negative health outcomes.

56 (2) As used in this section, the term:

57 (a) "Corn masa" means a doughlike food product made from  
58 corn that has undergone nixtamalization.

25-00740A-26

2026850\_\_

59        (b) "Corn masa product" means a food product primarily made  
60 from corn masa or corn masa flour.

61        (c) "White rice product" means a white rice or white rice-  
62 derived food product.

63        (3)(a) All enriched grain products, including wheat flour,  
64 corn flour, breads, cereals, corn masa, corn masa flour, corn  
65 masa products, and white rice products, offered for human  
66 consumption in this state must contain folic acid.

67        1. Corn masa flour must be enriched in an amount not less  
68 than 0.7 milligrams of folic acid, within an acceptable industry  
69 standard deviation of error, per pound of corn masa flour.

70        2. A corn masa product or white rice product must be  
71 enriched in an amount not less than 0.4 milligrams of folic  
72 acid, within an acceptable industry standard deviation of error,  
73 per pound of corn masa product or white rice product.

74        (b) Products under this subsection must be clearly labeled  
75 as containing folic acid in accordance with United States Food  
76 and Drug Administration guidelines.

77        (4) This section does not apply to products that are:

78        (a) Produced by cottage food operations as defined in s.  
79 500.03(1); or

80        (b) Certified organic.

81        (5) A violation of subsection (3) is grounds for  
82 disciplinary action under s. 500.121.

83        (6) The department, in coordination with the Department of  
84 Health, shall enforce this section. The departments may adopt  
85 rules necessary to implement this section, including rules on  
86 protocols for enriched grain products inspections and on grain  
87 products enrichment compliance reporting.

25-00740A-26

2026850\_\_

88       Section 2. The Department of Health shall submit a report  
89 to the President of the Senate and the Speaker of the House of  
90 Representatives by January 1, 2028, and annually thereafter,  
91 detailing the implementation of s. 500.072, Florida Statutes,  
92 and any observed reduction in the incidence of neural tube  
93 defects related to such implementation.

94       Section 3. For the 2026-2027 fiscal year, the sum of  
95 \$250,000 in nonrecurring funds is appropriated from the General  
96 Revenue Fund to the Department of Agriculture and Consumer  
97 Services for the purpose of implementing s. 500.072, Florida  
98 Statutes, including enriched grain products inspections and  
99 public education efforts on public health benefits of the intake  
100 of folic acid.

101       Section 4. Except as otherwise expressly provided in this  
102 act, this act shall take effect upon becoming a law.