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CHAPTER 27

Flour and Bread

**SECTION 39‑27‑10.** Enrichment of certain flour.

It shall be unlawful for any person, except as hereinafter provided, to manufacture, mix, compound or sell for human consumption in this State any white flour or self‑rising flour made from wheat which does not contain the vitamins and other ingredients contained in the following provisions:

(1) White flour shall contain in each pound not less than one and sixty‑six one‑hundredths milligrams and not more than two and five tenths milligrams of vitamin B‑1 (thiamine), not less than six milligrams and not more than twenty‑four milligrams of nicotinic acid (also recognized under the name of niacin) or nicotinic acid amide (also known under the name of niacin amide) and not less than six milligrams and not more than twenty‑four milligrams of iron (Fe);

(2) If other vitamins or minerals are added to bread or flour, they shall be added only in accordance with the regulations of the Department of Health, Education and Welfare;

(3) These ingredients and amounts are in accordance with the definition of enriched flour as promulgated by the Federal Security Agency (Federal Register, May 27, 1941 pp. 2574 to 2582, and December 3, 1941 pp. 6175 and 6176, postponing the effective date of riboflavin as a required ingredient in enriched flour) and the State Department of Agriculture shall change or add to the specifications for ingredients and the amounts thereof as necessary to conform to changes in the Federal definition of enriched flour; and

(4) Iron shall be added only in forms which are harmless and assimilable.

The substances referred to in items (1) and (2) of this section may be added in a harmless carrier which does not impair the enriched flour or enriched self‑rising flour if such carrier is used only in the quantity necessary to effect an intimate and uniform admixture of such substances with the flour.

HISTORY: 1962 Code Section 32‑1531; 1952 Code Section 32‑1531; 1942 (42) 1622.

**SECTION 39‑27‑20.** Application of enrichment provisions to flour used in manufacture of compound food products.

Any flour used in the manufacture of a compound food product with corn meal, corn flour or other food substances shall be subject to the provisions of Section 39‑27‑10, unless exempted under Section 39‑27‑40 or by regulation of the State Department of Agriculture.

HISTORY: 1962 Code Section 32‑1551.1; 1972 (57) 2287.

**SECTION 39‑27‑30.** Enrichment of white bread.

All white bread sold or offered for sale within the State shall be enriched to contain in each pound, as sold, not less than one milligram and not more than two milligrams of vitamin B‑1 (thiamine), not less than four milligrams and not more than sixteen milligrams of nicotinic acid (niacin) or nicotinic acid amide (niacin amide) and not less than four milligrams and not more than sixteen milligrams of iron (Fe).

The enrichment of white bread may be accomplished through the use of enriched flour, enriched yeast, other enriched ingredients, synthetic vitamins or harmless iron salts or by any combination of methods which will produce enriched bread which meets the standards herein defined.

The State Department of Agriculture shall change or add to the specifications for ingredients and the amounts thereof as necessary to conform to the Federal definition of enriched bread when promulgated.

HISTORY: 1962 Code Section 32‑1532; 1952 Code Section 32‑1532; 1942 (42) 1622.

**SECTION 39‑27‑40.** Exemptions.

The terms of this chapter shall not apply:

(1) To flour ground for the wheat producer whereby the miller is paid in wheat or feed for the grinding service rendered, except in so far as such a mill may manufacture toll wheat into flour and sell or offer for sale such flour, whereupon this chapter shall be applicable;

(2) To farmers in exchanging their wheat for flour or having it ground into flour and disposing of it for their own use or the use of farm labor on their farms;

(3) To flour sold to bakers or other commercial secondary processors, providing the purchaser furnishes to the seller an approved certificate of intent to use such flour solely in the production of enriched flour or enriched bread as herein defined or in the manufacture of legitimate products not covered by the provisions of this chapter; or

(4) To flour or bread which is made from the entire wheat with no parts of the wheat removed from the mixture. Flour or bread containing mixtures of the whole wheat berry and white flour or mixtures of various portions of the wheat berry shall have a vitamin and mineral potency at least equal to enriched flour or enriched bread as described in Sections 39‑27‑10 and 39‑27‑30.

HISTORY: 1962 Code Section 32‑1533; 1952 Code Section 32‑1533; 1942 (42) 1622.

**SECTION 39‑27‑50.** Labeling of enriched flour or bread sold in State.

All enriched flour or bread sold in the State must be labeled in accordance with the regulations of the Department of Health, Education and Welfare governing enriched flour or enriched bread sold in interstate trade.

HISTORY: 1962 Code Section 32‑1535; 1952 Code Section 32‑1535; 1942 (42) 1622.

**SECTION 39‑27‑60.** Enforcement.

The provisions of this chapter shall be enforced by the State Department of Agriculture, which shall issue such rules as may be necessary to regulate the manufacture and sale of flour and bread in this State under the provisions of this chapter. The Department or its agent representatives may enter upon the premises of any manufacturer of flour or bread and of any wholesale or retail dealer in flour or bread for the purpose of inspecting or analyzing flour or bread which may be offered for sale.

HISTORY: 1962 Code Section 32‑1556; 1952 Code Section 32‑1536; 1942 (42) 1622.

**SECTION 39‑27‑70.** Penalties.

Any person found guilty of violating the terms of this chapter shall be subject to a fine for each and every offense in a sum not exceeding one hundred dollars or to imprisonment for not exceeding thirty days.

HISTORY: 1962 Code Section 32‑1537; 1952 Code Section 32‑1537; 1942 (42) 1622.