

ASSEMBLY THIRD READING

AB 2030 (Lowenthal)

As Amended April 16, 2026

Majority vote

SUMMARY

Prohibits dietary supplements for weight loss or muscle building and over-the-counter (OTC) diet pills from being sold, delivered, or given away as either a retail or wholesale promotion to any person under 18 years of age, subject to an identification check, except if the person has a prescription for such a product. Authorizes any retail establishment that sells OTC diet pills or dietary supplements for weight loss or muscle building to limit access to those products in a manner designed to prevent unauthorized access to those products. Authorizes the Attorney General (AG) to consider specified factors when determining whether a supplement is labeled, marketed, or otherwise represented for the purpose of achieving weight loss or muscle building. Makes a person who violates this bill liable for a civil penalty of no more than \$1,000 for each violation and authorizes the AG, a county counsel, or a city attorney to apply to a court for a temporary injunction enjoining or restraining any person or entity from violating this bill, as specified. Makes a prevailing plaintiff in an action under this bill entitled to an award of reasonable attorney's fees and costs. Specifies that the penalties established by this bill are cumulative and do not diminish rights, remedies, or penalties established under other laws.

COMMENTS

Young people and diet pills. According to a 2024 study published in *JAMA Network Open* titled "Global Prevalence of Adolescent Use of Nonprescription Weight-Loss Products: A Systematic Review and Meta-Analysis", nearly 1 in 10 adolescents have used nonprescribed, medically unapproved weight loss products. The authors of the study highlight that the use of non-prescribed weight loss products increases the risk of being diagnosed with an eating disorder in the future and unhealthy weight gain in adulthood.

According to a 2022 publication by the University of Minnesota School of Public Health, most muscle-building supplements, such as protein powders and pills, can be bought OTC by minors with little or no regulation. Muscle-building supplements are not screened by the United States Food and Drug Administration (FDA) for safety or effectiveness before they enter the market. Many muscle-building supplements are often mislabeled or tainted with harmful products, such as steroids. Steroid use can lead to heart disease, kidney problems, and liver damage, which makes it critical to understand how young people might be using them. The article highlights that researchers who conducted a study published in the journal *Preventive Medicine Reports* found that:

- 1) 55% of males and 33% of females reported using protein supplements, such as powders and shakes, during adolescence and adulthood;
- 2) 6.7% of males and 5.4% of females reported using steroids during adolescence and adulthood;
- 3) Adolescent boys who used protein supplements were twice as likely to subsequently use steroids eight years later in young adulthood; and,

- 4) Adolescent girls who used protein supplements were five times as likely to subsequently use steroids eight years later.

Workgroup Report. The Governor vetoed AB 1341 (C. Garcia) of 2021, which similarly would have prohibited the sale of dietary supplements for weight loss and OTC diet pills subject to an identification check, further described in previous legislation below. The veto message directed the Department of Public Health (DPH) to form a workgroup, inclusive of academic and medical experts, for the purpose of developing public policy recommendations on the best way to address this important public health challenge. DPH issued a summary report in February 2024, highlighting that the concepts proposed by the workgroup do not represent a position of the California Health and Human Services Agency, DPH, or the Governor's Office.

The workgroup put forward several policy ideas, many of which are similar to provisions of this bill, including restricting the sale of OTC diet pills and weight loss dietary supplements to adults 18-years-old and over, mandating that such products are kept behind the counter or otherwise made inaccessible to minors, and granting the AG authority to enforce proposed restrictions and specify the factors that the AG and retailers can look for such as: those currently approved for weight loss by the FDA in prescription drugs and possible ingredients such as green tea extract, raspberry ketone, green coffee bean extract, garcinia cambogia, and any other product marketed for weight loss.

Delivery Sales. This bill restricts the sale and delivery of a dietary supplement for weight loss or muscle-building or over-the-counter diet pill from a delivery seller, including an online retailer. This bill prohibits the delivery seller from accepting a delivery sale order without obtaining the full name, birth date, and residential address of that person and verifying this information using a commercially available database or aggregate of databases. According to information provided by the author and sponsor, there are multiple existing databases that could be utilized for this purpose since federal law already requires tobacco delivery sellers to use such databases.

Other States. In 2023, New York enacted a similar bill prohibiting the sale of muscle building supplements and OTC diet pills to individuals under 18 years of age, subject to an identification check. The New York bill explicitly exempted protein powders, protein drinks, and foods marketed as containing protein unless the protein powder, protein drink, or food contains an ingredient other than protein which would, considered alone, constitute a dietary supplement for weight loss or muscle building.

In 2024, Colorado enacted legislation prohibiting the sale of OTC diet pills to persons under 18 years of age, subject to an identification check.

Protein Powder. Relevant to protein powder, this bill specifically applies to OTC diet pills and dietary supplements marketed for weight loss or muscle building. If a protein powder, food, or drink is being sold as a dietary supplement with an FDA-mandated "Supplement Facts" label, it is because it has other ingredients that go beyond what is federally allowed to be marketed as "food."

According to the Author

The growing public health threat posed by youth access to OTC diet pills and muscle-building supplements is concerning and deserves immediate action. The author states that nearly 1 in 10 young people report to have used these potentially harmful weight loss products in their lifetime. The author continues that these products are aggressively marketed to young people, often online

and on social media platforms, with promises of rapid weight loss, dramatic body transformation, and increased muscle mass, despite carrying serious risks including organ failure, heart attack, stroke, severe liver injury, testicular cancer, and even death. The author continues that many have been found to contain undisclosed ingredients such as illegal steroids, pharmaceutical drugs, heavy metals, or previously banned thermogenic stimulants. The author continues that because dietary supplements are not subject to the same premarket approval standards as prescription medications, dangerous products often remain on store shelves until after significant harm occurs. The author continues that federal oversight by the FDA usually only occurs after injuries have been reported, leaving our young population vulnerable to unsafe and misleading products. The author states that this bill addresses this gap by establishing clear, enforceable age restrictions on the sale of products marketed as weight loss or muscle building supplements by creating meaningful safeguards like those already in place for other age restricted products such as tobacco and alcohol. Research shows that the use of weight-loss and muscle-building supplements is associated with higher rates of eating disorders, body dysmorphia, depression, and other mental health vulnerabilities among adolescents. The author concludes that this bill represents a practical, immediate step to protect California's young people from preventable harm and to ensure that their health and well-being come before deceptive marketing and unregulated industry practices.

Arguments in Support

This bill is sponsored by the Strategic Training Initiative for the Prevention of Eating Disorders (STRIPED), who writes in support, while these dietary supplements deceptively claim to promote healthy weight loss, some using celebrity endorsers, these products are not required to demonstrate rigorous testing for safety or efficacy before entering the market, are not medically recommended, and are inadequately regulated by the FDA. STRIPED continues that alarmingly, there are no age restrictions on the sale of these products, leaving young people, who are particularly vulnerable to deceptive marketing claims, with no protection from purchasing these dangerous products. STRIPED notes products pose a serious risk to children of all ethnicity groups, genders, and ages across the state. STRIPED continues that the American Academy of Pediatrics has strongly cautioned against teens using these products, and the FDA has yet to approve any OTC weight-loss products for children. STRIPED contends that restricting access puts California's public health approach in line with physician recommendations. STRIPED concludes by urging support of this bill to protect young people in California from these dangerous products.

Arguments in Opposition

The American Herbal Products Association (AHPA) opposes this bill, stating that this bill restricts access to lawful and beneficial dietary supplement products and creates major confusion for consumers and retailers, all without addressing the social forces that are the root cause of eating disorders. AHPA continues that as this bill is written, enforcing counsel and courts would be left to make individual case-by-case determinations about what ingredients, what mechanisms of action, and what communications would count as an implicit claim regarding any of the described biomechanical processes. AHPA continues that a wide range of products not normally considered weight loss or musclebuilding supplements would thus be subject to the proposed restriction based solely on the identification of their ingredients. AHPA notes that the net effect will be consumer confusion regarding what products are actually safe. AHPA continues that rather than face potential liability and increased cost of physical access restriction, physical retailers may simply remove potentially covered dietary supplements from commerce. Even where such products are not removed, the diversity of safe, lawful products available in physical

retail will be greatly reduced due to space constraints. AHPA states that this bill's requirement for signature upon receipt for delivery sale similarly carries major running costs; responsible and compliant companies operating through delivery sale may remove themselves from the California market rather than undergo these costs, leaving those parties least likely to follow the law in their place. AHPA concludes absent a direct, explicit connection between specific covered products and/or ingredients and a causal mechanism of public health risk to those under the age of 18, such legislation will continue to generate fundamental problems of scope, enforcement, and scientific accuracy.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate any additional civil action filings. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded based on workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately \$117.3 million in 2025-26. The Department of Justice anticipates no costs. The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

VOTES

ASM HEALTH: 12-1-3

YES: Bonta, Addis, Aguiar-Curry, Pacheco, Caloza, Carrillo, Mark González, Patel, Rogers, Schiavo, Sharp-Collins, Stefani

NO: Sanchez

ABS, ABST OR NV: Chen, Johnson, Patterson

ASM JUDICIARY: 9-2-1

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Macedo, Sanchez

ABS, ABST OR NV: Dixon

ASM APPROPRIATIONS: 11-3-1

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Ta, Tangipa

ABS, ABST OR NV: Dixon

UPDATED

VERSION: April 16, 2026

CONSULTANT: Eliza Brooks / HEALTH / (916) 319-2097

FN: 0003038