SENATE COMMITTEE ON HEALTH
Senator Akilah Weber Pierson, Chair

BILL NO: AB 2030
AUTHOR: Lowenthal
VERSION: April 16, 2026
HEARING DATE: June 24, 2026
CONSULTANT: Vincent D. Marchand

SUBJECT: Dietary supplements for weight loss and over-the-counter diet pills

SUMMARY: Prohibits a person from selling, offering to sell, or giving away as either a retail or wholesale promotion, an over-the-counter diet pill or dietary supplement for weight loss or muscle building to any person under 18 years of age.

Existing law:

1) Enacts the Sherman Food, Drug and Cosmetic Law (Sherman Law), enforced by the California Department of Public Health (CDPH), which provides broad authority for CDPH to enforce food safety requirements, including that food is not adulterated, misbranded, or falsely advertised. Food labeling requirements generally adopt federal food labeling laws as the state requirement, including nutrition labeling and allergen labeling, but CDPH is permitted, by regulation, to adopt additional food labeling regulations. [HSC §109875, et seq.]

2) Establishes criminal penalties for violations of the Sherman Law, including a fine of up to $1,000, or up to $10,000 for repeated violations. [HSC §111825]

3) Requires, whenever a warning label is included on any product defined as a dietary supplement pursuant to federal law, the label to be clear and conspicuous. [HSC §110422]

4) Prohibits any manufacturer, wholesaler, retailer, or other person to sell, transfer, or otherwise furnish a dietary supplement containing either of following to a person under 18 years of age:
   a) A dietary supplement containing an ephedrine group alkaloid; or,
   b) A dietary supplement containing any of the following: androstanediol, androstanedione, androstenedione, norandrostenediol, norandrostenedione, or dehydroepiandrosterone. [HSC §110423.2]

5) Specifies that a retail establishment that sells a dietary supplement product in violation of 4) above is not guilty of the misdemeanor penalties if the retailer met certain conditions, including that every checkout clerk has completed standardized training, every programmable checkout scanner is programmed to identify dietary supplement products subject to the age requirement, and that every checkout clerk has received a written list of dietary supplement products subject to the age requirement. [HSC §110423.6]

6) Requires all persons engaging in the retail sale of tobacco products to check the identification of tobacco purchasers, to establish the age of the purchaser, if the purchaser reasonably appears to be under 21. [BPC §22956]

7) Permits an enforcing agency, as specified, to assess civil penalties against any person, firm, or corporation that sells, gives, or in any way furnishes to another person who is under 21 any tobacco product, instrument, or paraphernalia that is designed for the smoking or

ingestion of tobacco products, as specified, ranging from $400 to $6,000 for a first, second, third, fourth, or fifth violation within a five-year period. [BPC §22958]

Existing federal law:

1) Establishes, through the U.S. Food and Drug Administration (FDA), various requirements for food labels under the Federal Food, Drug, and Cosmetic Act (FD&C Act), which includes the Nutritional Labeling and Education Act and the Food Allergen Labeling and Consumer Protection Act. These include requiring specified nutrition information, a listing of all ingredients, and whether a produce contains any of eight major food allergens, such as milk, eggs, shellfish, tree nuts, etc. [21 USC §301, et seq. and 21 CFR §101, et seq.]

2) Defines "dietary supplement" as a product intended to supplement the diet that bears or contains one or more of the following dietary ingredients: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance to supplement the diet by increasing the total dietary intake; or, a concentrate, metabolite, constituent, extract, or combination of any of these ingredients. Excludes from this definition something that is represented for use as a conventional food or as a sole item of a meal or the diet. [21 USC §321(ff)]

This bill:

1) Prohibits a person from selling, offering to sell, or giving away as either a retail or wholesale promotion, an over-the-counter (OTC) diet pill or dietary supplement for weight loss or muscle building to any person under 18 years of age. Requires a retail establishment to request valid identification from any person who attempts to purchase OTC diet pills or dietary supplements for weight loss or muscle building if the retail establishment cannot reasonably determine that the person appears to be under 18 years of age.

2) Defines the following terms for purposes of this bill:
   a) "Dietary supplements for weight loss or muscle building" is defined as a dietary supplement, as defined in federal law, that is labeled, marketed, or otherwise represented for the purpose of achieving weight loss or building muscle;
   b) "OTC diet pills" is defined as a drug, as defined in the FD&C Act, that is labeled, marketed, or otherwise represented for the purpose of achieving weight loss for which a prescription is not required under the FD&C Act;
   c) "Retail establishment" is defined as any vendor that, in the regular course of business, sells dietary supplements for weight loss or muscle building or OTC diet pills at retail directly to the public, including, but not limited to, pharmacies, grocery stores, other retail stores, and vendors that accept orders placed by mail, telephone, electronic mail, internet website, online catalog, or software application;
   d) "Delivery sale" is defined as any sale of OTC dietary pills or dietary supplements for weight loss or muscle building to a buyer in either of the following cases:
      i) The buyer submits the order for the sale by means of a telephone or other method of voice transmission, the mail, or the internet or other online service, or the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made; or,
      ii) The OTC diet pills or dietary supplements for weight loss or muscle building are delivered to the buyer by common carrier, private delivery service, or other method of remote delivery, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the OTC diet pills or dietary supplements; and,

e) "Delivery seller" is defined as a person, including online retailers, who makes delivery sales of OTC diet pills or dietary supplements for weight loss or muscle building.

3) Permits a retail establishment to limit access to OTC diet pills or dietary supplements for weight loss or muscle building in a manner designed to prevent unauthorized access to these products.

4) Prohibits a delivery seller, including an online retailer, who mails or ships OTC diet pills or dietary supplements for weight loss or muscle building to consumers to adhere to all of the following:
   a) Prohibits the delivery seller from selling, delivering, or causing to be delivered any OTC diet pills or dietary supplements for weight loss or muscle building to a person under 18 years of age;
   b) Requires the delivery seller to use a method of mailing or shipping that requires both of the following: the purchaser placing the delivery sale order, or an adult who is at least 18 years of age, to sign to accept delivery of the shipping container at the delivery address; and, the person who signs to accept delivery of the shipping container to provide proof, in the form of a valid, government-issued identification bearing a photograph of the individual, that the person is at least 18 years of age; and,
   c) Prohibits the delivery seller from accepting a delivery sale order from a person without doing both of the following: obtaining the full name, birth date, and residential address of that person; and, verifying this information through the use of a commercially available database or aggregate of databases, consisting primarily of data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification, to ensure that the purchaser is at least 18 years of age.

5) Prohibits the database being used for age and identity verification pursuant to 4) c) above from being in the possession or under the control of the delivery seller, or be subject to any changes or supplementation by the delivery seller.

6) Exempts violations of this bill from criminal penalties under the Sherman Law.

7) Permits the Attorney General, a county counsel, or a city attorney to apply to a court for a temporary or permanent injunction enjoining or restraining any person or entity from violating any provision of this bill.

8) Subjects a person who violates this bill to a civil penalty of no more than $1,000 for each violation, which may be assessed and recovered in a civil action brought by the Attorney General, a county counsel, or a city attorney in any court of competent jurisdiction. Requires a prevailing plaintiff in an action under this bill to be entitled to an award of reasonable attorney's fees and costs.

9) Permits a court, when determining whether a supplement is "labeled, marketed, or otherwise represented for the purpose of achieving weight loss or muscle building," to consider, but not be limited to, all of the following factors:
   a) Whether the product contains any of the following:
      i) An ingredient approved by the FDA for weight loss or muscle building;
      ii) A steroid; or,
      iii) Creatine, green tea extract, raspberry ketone, garcinia cambogia, or green coffee bean extract.

b) Whether the product's labeling or marketing bears statements or images that express or imply that the product will help with either of the following:
   i) Modify, maintain, or reduce body weight, fat, appetite, overall metabolism, or the process by which nutrients are metabolized; or,
   ii) Maintain or increase muscle or strength.
c) Whether the product or its ingredients are otherwise represented for the purpose of achieving weight loss or building muscle; and,
d) Whether the retail establishment or delivery seller has done any of the following:
   i) Placed signs, categorized, or tagged the product with statements in b) above;
   ii) Grouped the product with other weight loss or muscle building products in a display, advertisement, internet website, or area of the store; or,
   iii) Otherwise represented that the product is for weight loss or muscle building.

10) Exempts persons under 18 years of age from the prohibitions in this bill if they have a prescription for an OTC diet pill or dietary supplement for weight loss or muscle building.

11) Specifies that the penalties established by this bill are cumulative and do not diminish rights, remedies, or penalties established under other laws.

FISCAL EFFECT: 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.

PRIOR VOTES:

Assembly Floor:	57 - 7
Assembly Appropriations Committee:	11 - 3
Assembly Judiciary Committee	9 - 2
Assembly Health Committee:	12 - 1

COMMENTS:

1) *Author's statement.* According to the author, the growing public health threat posed by youth access to OTC diet pills and muscle-building supplements deserves immediate action. Nearly one in ten young people report using these products, which are aggressively marketed online and on social media with promises of rapid weight loss, dramatic body transformation, and increased muscle mass. Yet many carry serious risks, including heart attack, stroke, severe liver injury, organ failure, cancer, and even death. Some products have been found to contain undisclosed ingredients such as illegal steroids, pharmaceutical drugs, heavy metals, or banned stimulants. 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. This bill addresses this gap by establishing clear, enforceable age restrictions on the sale of products marketed for weight loss or muscle building. Research also links these products to higher rates of eating disorders, body dysmorphia, depression, and other mental health challenges among adolescents. This bill is a

practical step to protect California's youth from preventable harm and ensure their health and well-being come before deceptive marketing and unsafe products.

2) *FDA regulation of dietary supplements.* Under the FD&C Act, as amended in 1994 by the Dietary Supplement Health and Education Act (often referred to as DSHEA), the FDA does not have the authority to approve dietary supplements for safety and effectiveness, or to approve their labeling, before the supplements are sold to the public. Instead, dietary supplements are regulated by FDA in much the same manner as food, which means they are subject to requirements relating to good manufacturing practices, and must meet certain labeling standards, among other requirements. According to the FDA, it is the responsibility of dietary supplement companies to ensure their products meet the safety standards for dietary supplements and are not otherwise in violation of the law. Dietary supplement labels are required to have nutrition information in the form of a Supplement Facts label that includes the serving size, the number of servings per container, a listing of all dietary ingredients in the product, and the amount per serving of those ingredients. They also must have a statement on the front of the product identifying it as a "dietary supplement" or similar descriptive term (e.g., "herbal supplement" or "calcium supplement"). The FD&C Act requires that manufacturers and distributors who wish to market dietary supplements that contain a "new dietary ingredient" (NDI) to notify the FDA about these ingredients. An NDI is an ingredient that was not marketed in a dietary supplement in the U.S. prior to October 15, 1994. When notifying the FDA about an NDI, the notification must include information that is the basis on which the manufacturer or distributor has concluded that a dietary supplement containing the NDI will reasonably be expected to be safe under the conditions of use recommended or suggested in the labeling. While the FDA is not required to formally approve an NDI, it will consider a dietary supplement "adulterated" unless the NDI has been present in the food supply in the same chemical form that is planned to use in the dietary supplement, or the manufacturer has shown evidence of safety at least 75 days before being introduced or delivered for introduction into interstate commerce, including any citation to published articles.

3) *Dietary supplements for weight loss.* According to a National Institutes for Health fact sheet called "Dietary Supplements for Weight Loss" (fact sheet), dietary supplements promoted for weight loss encompass a wide variety of products and come in a variety of forms, including capsules, tablets, liquids, powders, and bars. Manufacturers market these products with various claims, including that these products reduce macronutrient absorption, appetite, body fat, and weight, and increase metabolism and thermogenesis. Weight-loss products can contain dozens of ingredients, and some contain more than 90. Common ingredients in these supplements include botanicals (herbs and other plant components), dietary fiber, caffeine, and minerals. The fact sheet cites the U.S. Government Accountability Office's report on dietary supplements for weight loss, which concluded that "little is known about whether weight loss supplements are effective, but some supplements have been associated with the potential for physical harm." The fact sheet states that people who are considering using weight-loss supplements should talk with their healthcare provider to discuss these products' potential benefits and risks. The fact sheet states this is especially important for those who have medical conditions, yet less than one-third of adults who use weight-loss dietary supplements discuss this use with a healthcare professional. This fact sheet lists 24 common ingredients in weight loss dietary supplements: African mango, beta-glucans, bitter orange, caffeine, calcium, capsaicin, carnitine, chitosan, chromium, coleus forskohlii, conjugated linoleic acid, fucoxanthin, garcinia cambogia (hydroxycitric acid), glucomannan, green coffee bean extract, green tea, guar gum, hoodia, probiotics, pyruvate, raspberry ketone,

vitamin D, white kidney bean, and yohimbe. For several of these ingredients, the fact sheet noted that "some safety concerns" were reported, and for yohimbe, the fact sheet stated that "significant safety concerns were reported, especially for yohimbine doses of 20mg or higher, with reported adverse effects including cardiac failure and death.

4) *FDA caution against bodybuilding products.* The FDA's website includes a page urging caution about bodybuilding products, stating that they have found that some bodybuilding products may illegally contain steroids or steroid-like substances associated with potentially serious health risks which can be life-threatening. The FDA is aware of adverse event reports, including those showing evidence of serious liver injury. According to the FDA, many bodybuilding products are often promoted as hormone products and/or as alternatives to anabolic steroids for increasing muscle mass and strength. Many of these products make claims about the ability of active ingredients to enhance or diminish androgen, estrogen, or progestin-like effects in the body, but actually contain anabolic steroids or steroid-like substances, synthetic hormones related to the male hormone testosterone.

5) *Creatine, green tea extract, and other listed substances.* In addition to steroids and ingredients approved by the FDA for weight loss or muscle building, this bill identifies several substances that a court can consider when determining if a supplement meets the definition of being "labeled, marketed, or otherwise represented" as being for weight loss or muscle building. The substances listed in this bill include the following:
   a) Creatine is a naturally occurring amino acid-like compound involved in making energy for muscle contractions. Man-made creatine is often sold as a powder or pill and in drink mixes, and studies show that it can help athletes have short bursts of intense exercise with short recovery times and increase lean muscle mass. According to the 2022 Monitoring the Future Survey, nearly 12% of 12th graders reported they had used creatine without a doctor's supervision in the past year, and in all grades, the increase in reported creatine use from 2021 to 2022 was the largest on record for this outcome. According to a review of the literature by researchers at Nationwide Children's Hospital, only a handful of studies focused on patients under 18, and no studies were designed to address the topic of safety or explore adverse effects of creatine supplementation in adolescents. The identified studies did suggest that short-term creatine supplementation may be potentially beneficial for adolescent athletes, and that concerns regarding the risk of acute, adverse effects in a healthy population have largely been eliminated. However, because these studies included small sample sizes and lacked diversity among their participants, their findings are not generalizable. The researchers noted that healthy adolescents experience rapid growth in lean muscle around the time of puberty, and that the effects of increased muscle volume that could be induced by creatine supplementation are not well understood.
   b) Green tea extract has been touted as having various benefits, including weight loss. The benefits of green tea extract are largely attributed to certain polyphenols. A randomized, placebo-controlled clinical trial published in *Clinical Nutrition* in 2016, which enrolled 102 women with central obesity were randomly assigned to either a high-dose green tea group or a placebo group. Significant weight loss, as well as decreases in body mass index and waist circumference were observed in the treatment group after 12 weeks of high dose green tea extract. According to the National Institutes of Health (NIH), side effects of green tea extract supplements include nausea, constipation, abdominal discomfort, and increased blood pressure. Although uncommon, liver injury has been reported in some people who use green tea extracts in tablet or capsule form, and

individuals with a specific variant of a gene appear to be especially susceptible (NIH estimates that between 5% and 15% of Americans have this variant).

c) Raspberry ketone is a naturally occurring chemical in red raspberries that contribute to their aroma, it is found in tiny amounts, so the raspberry ketone that is found as a dietary supplement is synthetically produced in a laboratory. Raspberry ketone has been promoted as a weight loss supplement, and rodent studies given large amounts of raspberry ketone had reduced appetite and gained less weight. However, there have been no human studies, and there is not enough research to say that consuming the high level of raspberry ketone marketed as a dietary supplement is safe.

d) Garcinia Cambogia is a tree native to India and Southeast Asia, whose fruit has been used as a tea in folk medicine for inflammation and stomach complaints. The fruit rind contains a chemical called hydroxycitric acid (HCA), and garcinia cambogia products with HCA are promoted as a dietary supplement for appetite control and weight loss. According to the NIH, some evidence suggests a modest effect with weight loss, while other evidence shows no effect. Several cases of liver damage have been reported. Some of these cases were severe, but this appears to be uncommon.

e) Green coffee bean extract, as the name suggests, is made of coffee beans that have not yet been roasted; only raw, unroasted coffee beans contain chlorogenic acid, which proponents say is the key to health benefits. According to the Cleveland Clinic, chlorogenic acid could help with blood sugar because it decreases the amount of carbohydrates absorbed into the gastrointestinal tract, which is where people are making the correlation with some desirable weight loss. However, there have been only a couple of studies, and they are not large or robust enough to say whether the benefits are real. Green coffee bean extract contains caffeine, and too much can cause anxiety or jitteriness, increased heart rate, trouble sleeping, and an upset stomach.

6) *FDA initiative against contaminated weight loss products.* According to the FDA, it has identified an emerging trend where OTC products, frequently represented as dietary supplements, contain hidden active ingredients that could be harmful. The FDA states that it cannot test and identify all weight loss products on the market that have potentially harmful contaminants in order to assure their safety, and that enforcement actions and consumer advisories for unapproved products only cover a small fraction of the potentially hazardous weight loss products marketed to consumers on the internet and at some retail establishments. According to the FDA, its tests have revealed the presence of sibutramine, fenproporex, fluoxetine, bumetanide, furosemide, phenytoin, rimonabant, cetilistat, and phenolphthalein.

7) *Federal regulation of OTC drugs.* There are two regulatory pathways to bring a nonprescription drug to market in the U.S.: a review using the OTC Monograph process; or, through a new drug application (NDA). The FDA publishes an OTC monograph, which establishes conditions under which an OTC drug is generally recognized as safe and effective and can be marketed without an NDA or pre-market approval, including what active ingredients are allowed, doses, labeling, and testing. If approval is sought for an OTC drug that contains active ingredients that are not part of the OTC monograph, then an NDA is required, which includes premarket approval by the FDA.

8) *There is currently only one approved OTC weight loss pill.* Orlistat, which is sold under the brand names Xenical, has been available by prescription as a weight loss aid in the U.S. since 1999. In 2007, orlistat was also approved by the FDA for nonprescription sales under the brand name of Alli, at one-half the daily dose of the prescription product (60mg vs 120mg). Currently, Alli is the only FDA-approved weight loss medication available over the counter.

The FDA only approved Alli for overweight patients ages 18 and older. Orlistat's pharmacological effect occurs through the inhibition of gastric and pancreatic lipases in the gastrointestinal tract, which prevents triglyceride hydrolysis and results in the decreased absorption of dietary fats. Alli reduces dietary fat absorption by approximately 25% at the recommended dosage. The adverse effect profile associated with orlistat predominately consists of a variety of gastrointestinal side effects such as soft stools, abdominal pain, steatorrhea, fecal urgency, flatulence, and less common side effects such as fecal incontinence.

9) *Similar law in New York subject to lawsuit.* In 2023, legislation was signed into law in New York to ban the sale to minors of OTC diet pills and dietary supplements for weight loss and muscle building, with the exception of protein drinks and powders. The Counsel for Responsible Nutrition (CRN) brought a lawsuit against the bill, arguing that the law violates the First Amendment rights of supplement makers and retailers by "restricting truthful commercial speech and access to lawful products without clear scientific justification." CRN also filed for a preliminary injunction to prevent the law from going into effect pending the lawsuit, but a federal judge denied that motion, allowing the law to take effect commencing April 22, 2024. CRN is continuing its efforts to overturn the law.

10) *AB 1341 Workgroup report.* As described in "Prior Legislation" below, this bill is somewhat similar to AB 1341 (Garcia of 2021), which was vetoed by Governor Newsom, who stated that requiring CDPH to evaluate every individual weight loss and dietary supplement product for safety is beyond the scope of CDPH's capabilities. As part of the Governor's veto message, he stated that he would direct CDPH to form a workgroup to develop policy recommendations on the best way to address this important public health challenge. In February of 2024, CDPH released a summary report on the work of the AB 1341 Workgroup. This report summarized policy recommendations from academic and medical experts that participated in the Workgroup, but did not make recommendations of its own. According to CDPH, it convened and facilitated two virtual meetings of subject matter experts on March 7 and June 8 of 2023. CDPH stated that while the report summarizes the policy ideas generated during these meetings, it did not independently evaluate or analyze the Workgroup's proposals, nor did CDPH assess the resource needs and responsible agencies for possible implementation of any of the concepts. The proposals were organized into one of four categories: Legislative Actions; Educational Initiatives and Outreach Activities; Enforcement; and, Improve Social and Economic Resources. Within the Legislative Actions category, the recommendations included: age restrictions for both dietary supplements and OTC drugs (similar to this bill); restricting access to just OTC diet pills; granting the Attorney General authority to enforce various restrictions (such as on certain ingredients or claims to promote weight loss); and, requiring manufacturers to substantiate claims with data for effectiveness and safety. Educational Initiatives recommendations included providing outreach to specific targeted populations at greatest risk with educational programs on the dangers of weight loss supplements, and including outreach within the Health Education Curriculum Framework.

11) *Double referral.* This bill is double referred. Should it pass out of this Committee, it will be referred to the Senate Judiciary Committee.

12) *Prior legislation.* AB 82 (Weber Pierson of 2024) was similar to this bill, and also prohibited dietary supplements for weight loss or OTC diet pills to be sold to any person under 18 years of age. However, AB 82 did not include dietary supplements intended for muscle building.

Additionally, AB 82 would have required CDPH to determine which dietary supplements and OTC diet bills would be subject to the ban, and to develop a notice for distribution to retail establishments for posting. *AB 82 was held on the Senate Appropriations Committee suspense file.*

AB 1341 (Christina Garcia of 2021) was substantially similar to AB 82 (Weber Pierson of 2024). *AB 1341 was vetoed by the Governor, who stated*: "*I commend the work of the author as this bill raises an important public health issue related to the safety of diet or weight loss pills that can result in injury. However, dietary supplements for weight loss are not considered drugs and, therefore, this measure would require CDPH to evaluate every individual weight loss and dietary supplement product for safety, which is beyond the scope of the department's capabilities. Recognizing the need to educate and protect the public-particularly California's youth-of the dangers of using dietary supplements for weight loss, I am directing CDPH to form a workgroup, inclusive of academic and medical experts, that would develop public policy recommendations on the best way to address this important public health challenge. CDPH is prepared to work with the legislature next session to address sales age limits and other potential legislative actions to address the responsible sale of dietary supplements for weight loss and over-the-counter diet pills that do not require the state to undertake lengthy and costly pharmacological studies on the many supplements on the market today."*

13) *Support.* This bill is co-sponsored by the Center for Science in the Public Interest and the Strategic Training Initiative for the Prevention of Eating Disorders, and is supported by numerous organizations. Supporters argue that while these dietary supplements deceptively claim to promote healthy weight loss – some by 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. 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. Supporters point to statements by the American Academy of Pediatrics strongly cautioning against teens using weight-loss supplements, and also points to a recent study documenting a 50% increase in calls to poison control centers over the past decade due to dietary supplements, many of which claimed to promote weight loss. Restricting access puts California's public health approach in line with physician recommendations.

14) *Oppose unless amended.* The Council for Responsible Nutrition (CRN) is opposed to this bill unless amended to focus on products that may contribute to specified health conditions, as determined by CDPH. CRN believes this targeted approach establishes an actual health basis on which to impose a sales restriction rather than doing so merely because of what is contained on a label or advertisement, or due to the mere presence of common ingredients. CRN also states that this bill would impose a two-step age verification process for online and delivery sales, with verification at the point of sale, and again at the point of physical delivery. This two-step identification process would be unprecedented in that there is no such requirement for other age-restricted products sold online in California. CRN states that this two-step process would impose significant and unnecessary logistical and cost burdens and disrupt ordinary commerce for adults purchasing these products lawfully. The Consumer Healthcare Products Association (CHPA) also opposes this bill unless amended, and similarly opposes the two-step age verification process, stating that requiring a physical ID check at delivery effectively eliminates the primary benefit of home delivery for the vast

majority of adult consumers. Additionally, CHPA opposes the ingredient-based triggers, which direct the Attorney General to consider the mere presence of ingredients such as creatine, green tea extract, green coffee bean extract, raspberry ketone, and garcinia cambogia when determining whether a product falls within the bill's coverage. CHPA states that this approach is fundamentally flawed, as these ingredients appear in thousands of general health, wellness, energy, and nutritional products that are not marketed, labeled, or intended for weight loss or muscle building. CHPA states that creatine, for example, is widely used in general sports nutrition and energy products, and that green tea extract is a common ingredient in everyday wellness supplements and functional beverages.

15) *Opposition.* The American Herbal Products Association (AHPA), and the Natural Products Association (NPA) oppose this bill. AHPA and NPA both argue that dietary supplements are subject to well-established regulation and enforcement systems, and the FDA has clear authority over dietary supplements through the FD&C Act and related laws and regulations. These opponents point out that products labeled as dietary supplements that contain substances such as steroids or that are adulterated with contaminants are already prohibited by federal law. Opponents state that this bill's scope is overbroad and vague, and will limit consumer access to beneficial products.

The California Pharmacists Association (CPhA) opposes this bill, pointing to the civil penalties of up to $1,000 per day, which CPhA states is an excessive amount given the practical challenges of ensuring perfect compliance in a busy retail setting. CPhA states that California prohibits the sale of dextromethorphan-containing products to individuals under 18, but fines are generally capped at $250. This bill significantly increases penalties and operational requirements without justification, and fails to account for real-world pharmacy conditions.

SUPPORT AND OPPOSITION:

Support: Center for Science in the Public Interest (co-sponsor)
Strategic Training Initiative for the Prevention of Eating Disorders (co-sponsor)
Academy for Eating Disorders
Alaska Eating Disorders Alliance
Be Real.
California Access Coalition
California Commission on the Status of Women and Girls
Children's Advocacy Institute
Consumer Federation of California
Eating Disorders Coalition
Eating Disorders Resource Center
Erevna
Finxerunt Policy Institute
For You
iCure Health International
International Federation of Eating Disorder Dietitians
International Socioeconomics Laboratory
Multi-Service Eating Disorders Association
National Association of Anorexia Nervosa and Associated Disorders
NCARTH
Project Heal
Realize Your Beauty

Renfrew Center for Eating Disorders
The Alliance for Eating Disorders Awareness
The Eating Disorder Foundation
Seven individuals

Oppose: American Herbal Products Association
California Pharmacists Association
Consumer Healthcare Products Association (unless amended)
Council for Responsible Nutrition (unless amended)
Natural Products Association

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