

,Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2034 (Addis) – As Amended April 16, 2026

Policy Committee:	Health	Vote:	10 - 3
	Environmental Safety and Toxic Materials		4 - 2

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill deems a food additive or dietary ingredient unsafe unless it meets specified conditions, including licensing requirements, or has successfully gone through the U.S. Food and Drug Administration (FDA)'s voluntary "Generally Recognized as Safe" (GRAS) Notification Program. The bill requires individuals intending to use a food additive or dietary ingredient in food to submit a notice to the California Department of Public Health (CDPH) and requires CDPH to post these notices in a publicly available database. This bill also requires a manufacturer to submit to CDPH a list of its food products that do not list each of the product's ingredients on the product's label, and to identify each such ingredient. The bill requires CDPH to issue licenses for food additives and uses and to post this ingredient information on a publicly available database.

Specifically, this bill:

- 1) Clarifies that the state's definition of a food additive is distinct from the federal definition of a food additive and thus does not include the GRAS exemption.
- 2) Deems any added substance, as specified, unsafe unless the substance is compliant with notice requirements or with existing state law specifying that a substance is unsafe unless there is a regulation limiting its quantity and use.
- 3) Deems a food additive unsafe in food intended for humans unless the substance and its intended use meet any of specified conditions.
- 4) Requires, commencing July 1, 2027, an individual who intends to use a food additive or dietary ingredient in food intended for humans that does not meet specified conditions to submit to CDPH a notice that includes the same information included in the federal GRAS notice.
- 5) Requires, on or before July 1, 2027, CDPH to publish on its website a database for notices submitted pursuant to this bill. Requires CDPH to ensure the database is searchable; allows members of the public to download and print all submitted safety information and departmental responses; and accommodates reasonably anticipated and actual public use.
- 6) Requires CDPH, within 60 days of receiving a notice, to verify that the notice contains the information included in the federal GRAS notice, and either publish that notice in the public database or issue a rejection letter detailing missing information needed to complete the

notice.

- 7) Requires, on or before July 1, 2028, CDPH to provide to the Legislature, the Governor, and on its website an interim progress report with specified information concerning efforts to develop and implement the database system.
- 8) Authorizes CDPH, when assessing the safety of a food additive, to consider the following, among other factors: factors in existing law; whether the additive is subject to a Proposition 65 warning; estimates of dietary exposure; cumulative effects of the substance and chemically and pharmacologically related substances; hazard, dose response, and exposure; application of protective safety factors to ensure an appropriate margin of safety to take into account uncertainties in hazard identification, dose response, exposure, and sensitivities; the weight of the evidence with regard to carcinogenicity and reproductive or developmental toxicity in humans or animals, including through an endocrine mode of action; and other information as CDPH may specify in regulation.
- 9) Exempts small businesses, as defined from the notice requirements of this bill.
- 10) Exempts from the prohibitions in this bill any food acquired for sale in the state before July 1, 2027, until the expiration date, “best by” date, or “sell by” date printed on the packaging of the food or food product by the manufacturer or producer, but no later than July 1, 2030.
- 11) Requires, on or before July 1, 2027, the manufacturer of any packaged food product subject to regulation by the FDA to provide CDPH with a complete and accurate list of its food products that, as of the date of the submission, are sold in the state and do not individually list each of the product’s ingredients in the ingredient list on the product’s label, as specified. Provides that manufacturers are not required to disclose the weight or amount of an ingredient that requires disclosure, or the manner in which the ingredient or product is formulated. Exempts manufacturers, distributors, or retailers of food products with annual aggregate sales of food products of less than \$1,000,000.
- 12) Requires CDPH, on or before July 1, 2027, to make operational a consumer-friendly, public internet website with a database of the information collected pursuant to item 11), above.

FISCAL EFFECT:

General Fund costs to CDPH of an unknown amount, likely in the millions of dollars per year, ongoing. This bill requires CDPH to establish a new program, including assessing the safety of food additives, evaluating notices of intent to use food additives, and creating a searchable database to provide public access to those notices. This bill likely requires implementing the Project Approval Lifecycle (PAL) planning process, the cost of which could exceed \$1 million.

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.

COMMENTS:

- 1) **Purpose.** This bill is sponsored by The Center for Science in the Public Interest. According to the author:

The food industry has turned what was a limited and reasonable exemption into a loophole that is abused at the expense of the consumer. By using the GRAS exemption to go around FDA safety inspections, new, untested chemicals are entering our food supply, sometimes in complete secrecy. Furthermore, we have seen additives that were previously considered GRAS get banned due to their harmful effects coming to light, which shows that we cannot trust companies to put the proper amount of effort towards research and self-regulation. Consumers deserve to know what goes into their food and that what they are eating is safe and tested. We can no longer allow these companies to self-regulate because they have a financial interest in avoiding these necessary safety precautions.

- 2) **Background.** The FDA administers separate programs for uses of ingredients that are food additives versus GRAS (described below). For food additives, a manufacturer or other sponsor must first seek approval from the FDA by submitting a petition to market a new direct food additive, or before using a direct food additive in a different way than how the FDA has currently approved it. The FDA consults with the U.S. Department of Agriculture during the review process for food additives that are proposed for use in meat and poultry products. This process provides for pre-market review of the substance, in that food additive petitions must provide scientific evidence that the substance is safe for the ways in which it will be used. The FDA publishes a notice of the petitions under FDA review in the Federal Register. The FDA evaluates the petition and other available data and information to determine if the evidence demonstrates that the food additive is safe.

A substance that is generally recognized among qualified experts as having been adequately shown to be safe under the conditions of its intended use is exempt from the federal definition and associated requirements for food additives. These GRAS substances are not required to undergo premarket review by the FDA. The use of a food substance may be GRAS either through scientific procedures or, for a substance used in food before 1958, through experience based on common use in food.

A food or ingredient manufacturer that has concluded that the use of an ingredient meets the standard for GRAS may notify the FDA through the FDA's voluntary GRAS Notification Program. According to the FDA, this program was established to help ensure that GRAS ingredients are safe for the ways in which they will be used, and to help industry meet its responsibility for ensuring the GRAS status of ingredients they intend to use in food. According to the FDA's website, manufacturers that choose not to go through the voluntary GRAS Notification Program are still responsible for ensuring their products comply with federal law. However, under this "self-affirmation" pathway, manufacturers are not required to publicly disclose their safety information or scientific evidence for the substances they have classified as GRAS.

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