

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
Marc Berman, Chair
AB 2532 (Irwin) – As Amended April 6, 2026

SUBJECT: Cannabis: labels, packaging, and manufacturing.

SUMMARY: Requires edible cannabis products and cannabis beverages to include the toll-free telephone number for the national Poison Help line on their labels and inserts and prohibits cannabis beverages from exceeding 10 milligrams tetrahydrocannabinol (THC) per container.

EXISTING LAW:

- 1) Enacts the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) to provide for a comprehensive regulatory framework for the cultivation, distribution, transport, storage, manufacturing, processing, and sale of medicinal and adult-use cannabis. (Business and Professions Code (BPC) §§ 26000 *et seq.*)
- 2) Establishes the Department of Cannabis Control (DCC) within the Business, Consumer Services, and Housing Agency for purposes of administering MAUCRSA. (BPC § 26010)
- 3) Establishes grounds for disciplinary action against cannabis licensees, including failures to comply with state requirements as well as local laws and ordinances. (BPC § 26030)
- 4) Requires cannabis or cannabis products purchased by a customer to be placed in an opaque package prior to leaving a licensed retail premises. (BPC § 26070.1)
- 5) Requires cannabis and cannabis products to be labeled and placed in a tamper-evident, child-resistant package prior to delivery or sale. (BPC § 26120(a))
- 6) Prohibits cannabis and cannabis product packages and labels from being made to be attractive to children. (BPC § 26120(b))
- 7) Requires all cannabis and cannabis product labels and inserts to include, among other specified information, the following statement prominently displayed in a clear and legible fashion, with the statement relating to intoxication delay limited to cannabis products:

GOVERNMENT WARNING: THIS PRODUCT CONTAINS CANNABIS, A SCHEDULE I CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION.

(BPC § 26120(c))

- 8) Provides that only generic food names may be used to describe the ingredients in edible cannabis products. (BPC § 26120(d))
- 9) Allows for cannabis beverages to be packaged in containers that are clear or any color. (BPC § 26120(e))
- 10) Requires the DCC to regularly reevaluate its labeling regulations to determine whether additional warnings are necessary to reflect evolving science regarding the risks that cannabis use may cause consumers. (BPC § 26121)
- 11) Requires the DCC to establish standards for the manufacturing, packaging, and labeling of all manufactured cannabis products. (BPC § 26130(a))
- 12) Requires edible cannabis products to be all of the following:
 - a) Not designed to be appealing to children or easily confused with commercially sold candy or foods that do not contain cannabis.
 - b) Produced and sold with a standardized concentration of cannabinoids not to exceed 10 milligrams THC per serving.
 - c) Delineated or scored into standardized serving sizes if the cannabis product contains more than one serving and is an edible cannabis product in solid form.
 - d) Homogenized to ensure uniform disbursement of cannabinoids throughout the product.
 - e) Manufactured and sold under sanitation standards established by the DCC that are similar to the standards for preparation, storage, handling, and sale of food products.
 - f) Provided to customers with sufficient information to enable the informed consumption of the product, including the potential effects of the cannabis product and directions as to how to consume the cannabis product, as necessary.
 - g) Marked with a universal symbol, as determined by the DCC through regulation.
 - h) Prohibits edible cannabis products from being designed to be appealing to children or easily confused with commercially sold candy or foods that do not contain cannabis.(BPC § 26130(C))
- 13) Provides that standards for the production, packaging, and labeling of all cannabis products developed by the DCC apply to all licensed manufacturers, microbusinesses, and nonprofits, unless otherwise specified by the DCC. (BPC § 26131)
- 14) Prohibits a cannabis licensee from including on the label of any cannabis or cannabis product or publishing or disseminating advertising or marketing containing any health-related statement that is untrue in any particular manner or tends to create a misleading impression as to the effects on health of cannabis consumption. (BPC § 26154)

THIS BILL:

- 1) Requires the labels and inserts for edible cannabis products and cannabis beverages to include the toll-free telephone number for the national Poison Help line.
- 2) Prohibits cannabis beverages from exceeding a total of 10 milligrams THC per container.
- 3) Exempts medicinal tinctures from the 10 milligram THC maximum.

FISCAL EFFECT: Unknown; this bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the author. According to the author:

The recent audit completed by the State Auditor confirmed what many have long recognized: California's cannabis industry continues to package and market products in ways which are overtly attractive to children. Since the passage of Proposition 64, child cannabis poisonings have increased dramatically. These exposures are often driven by cannabis product packaging that uses features which are explicitly attractive to children, leading children to consume the products unintentionally. Young children who accidentally consumer cannabis require poison control treatment consistently, and in many cases they can also expose their fellow elementary and middle school peers to cannabis. AB 2532 codifies a recommendation from the auditor to limit the amount of THC in one cannabis beverage to 10 mg, which is one serving of THC. The bill also requires cannabis packages to include the phone number for the national poison control center, ensuring that this critical resource is readily available in the event of a potentially life-threatening cannabis poisoning.

Background.

Brief History of Cannabis Regulation in California. Consumption of cannabis was first made lawful in California in 1996 when voters approved Proposition 215, the Compassionate Use Act. Proposition 215 protected qualified patients and caregivers from prosecution relating to the possession and cultivation of cannabis for medicinal purposes, if recommended by a physician. This regulatory scheme was further refined by SB 420 (Vasconcellos) in 2003, which established the state's Medical Marijuana Program. After several years of lawful cannabis cultivation and consumption under state law, a lack of a uniform regulatory framework led to persistent problems. Cannabis's continued illegality under the federal Controlled Substances Act, which classifies cannabis as a Schedule I drug ineligible for prescription, generated periodic enforcement activities by the United States Department of Justice. Threat of action by the federal government created persistent apprehension within California's cannabis community.

After several prior attempts to improve the state's regulation of cannabis, the Legislature passed the Medical Marijuana Regulation and Safety Act—subsequently retitled the Medical Cannabis Regulation and Safety Act (MCRSA)—in 2015. MCRSA established a comprehensive statewide licensing and regulatory framework for the cultivation, manufacture, transportation, testing, distribution, and sale of medicinal cannabis. While entrusting state agencies to promulgate regulations governing the implementation of the state's cannabis laws, MCRSA preserved local control. Under MCRSA, local governments may establish their own ordinances to regulate cannabis activity, or choose to ban cannabis establishments altogether.

Not long after the Legislature enacted MCRSA, California voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA). The passage of the AUMA legalized cannabis for non-medicinal adult use in a private home or licensed business; allowed adults 21 and over to possess and give away up to approximately one ounce of cannabis and up to eight grams of concentrate; and permitted the personal cultivation of up to six plants. The proponents of the AUMA sought to make use of much of the regulatory framework and authorities set out by MCRSA while making a few notable changes to the structure still being implemented.

In the spring of 2017, SB 94 (Committee on Budget and Fiscal Review) was passed to reconcile the distinct systems for the regulation, licensing, and enforcement of legal cannabis that had been established under the respective authorities of MCRSA and the AUMA. The single consolidated system established by the bill—known as MAUCRSA—created a unified series of cannabis laws. On January 16, 2019, the state’s three cannabis licensing authorities—the Bureau of Cannabis Control, the California Department of Food and Agriculture, and the California Department of Public Health—officially announced that the Office of Administrative Law had approved final cannabis regulations promulgated by the three agencies respectively.

In 2021, the Department of Finance released trailer bill language to create a new department with centralized authority for cannabis licensing and enforcement activities. This new department was created through a consolidation of the three prior licensing authorities’ cannabis programs. As of July 1, 2021, the DCC has been the single entity responsible for administering and enforcing the majority of MAUCRSA. New regulations went into effect on January 1, 2023 to effectuate the organizational consolidation and make other changes to cannabis regulation.

Labeling Requirements for Cannabis Packaging. Language enacted as part of the original MCRSA legislation in 2015 set strict standards for cannabis packaging and labeling, including the inclusion of specific cautionary statements. Proposition 64 then recodified nearly identical language for its own mandated label content, with a handful of minor variations reconciled when SB 94 merged MCRSA and the AUMA into MAUCRSA. Under current law, all cannabis product labels must display the following statement in a clear and legible fashion, in bold print:

GOVERNMENT WARNING: THIS PRODUCT CONTAINS CANNABIS, A SCHEDULE I CONTROLLED SUBSTANCE. KEEP OUT OF REACH OF CHILDREN AND ANIMALS. CANNABIS PRODUCTS MAY ONLY BE POSSESSED OR CONSUMED BY PERSONS 21 YEARS OF AGE OR OLDER UNLESS THE PERSON IS A QUALIFIED PATIENT. THE INTOXICATING EFFECTS OF CANNABIS PRODUCTS MAY BE DELAYED UP TO TWO HOURS. CANNABIS USE WHILE PREGNANT OR BREASTFEEDING MAY BE HARMFUL. CONSUMPTION OF CANNABIS PRODUCTS IMPAIRS YOUR ABILITY TO DRIVE AND OPERATE MACHINERY. PLEASE USE EXTREME CAUTION.

In addition to the above statement, MAUCRSA requires certain factual information about the product’s ingredients and contents to be listed, as well as information associated with a unique identifier for purposes of identifying and tracking the cannabis goods. MAUCRSA also requires the DCC to set its own additional requirements for cannabis packaging and labeling.

Regulations promulgated by the DCC have set additional labeling standards. For example, all required labels must be “unobstructed and conspicuous” in at least 6 point type size, and must be written in English. Additional language is required for specific product types; for example, the primary panel of an edible cannabis product must include the phrase “cannabis infused” in bold type and a text size larger than the text size used for the identity of the product.

MAUCRSA explicitly prohibits cannabis and cannabis product packaging and labeling from being made to be attractive to children. The DCC's regulations specifically prohibit cannabis goods labeling from containing content that is, or designed to be, attractive to individuals under the age of 21 using the same criteria as provided for advertising restrictions. This includes a ban on labeling that uses depictions of minors, cartoons, candy packaging, or other images popularly used to advertise to children.

In August 2025, the California State Auditor (CSA) released an audit of the DCC's enforcement of laws prohibiting cannabis products from being advertised, marketed, or labeled in a manner that is attractive to children. The CSA report determined that "state law and DCC's regulations about design elements that are attractive to children are unspecific, leading to subjective and sometimes inconsistent determinations of whether cannabis product packaging is compliant."¹ On February 17, 2026, the Joint Legislative Audit Committee and the Assembly Committee on Business and Professions held a joint hearing on the CSA report and received a presentation from the State Auditor's office, which included the discussion of recommendations made by the CSA in its report.

In addition to prohibitions against cannabis product packaging and labeling from being attractive to children, the DCC's regulations also prohibit the labeling on cannabis goods from containing statements that are potentially deceptive or false. Specifically, current regulations prohibit "any health-related statement that is untrue or misleading" and require the following:

Any health-related statement must be supported by the totality of publicly available scientific evidence (including evidence from well-designed studies conducted in a manner which is consistent with generally recognized scientific procedures and principles), and for which there is significant scientific agreement among experts qualified by scientific training and experience to evaluate such claims.

In 2023, the California Cannabis Industry Association sponsored SB 540 (Laird), which required the DCC to regularly reevaluate its existing regulations to determine whether to establish new labeling requirements on packaging for cannabis goods. In addition to all the information currently required for cannabis labels, including the warning statement mandated under MAUCRSA, SB 540 required the DCC to consider adding additional warnings that are necessary to reflect evolving science regarding the risks that cannabis use may cause consumers. The first reevaluation were required to take place on or before July 1, 2025, and additional reevaluations are required every five years beginning January 1, 2030.

SB 540 additionally required the DCC to create an educational brochure, in consultation with the California Department of Public Health, aimed at further educating consumers about the health effects and risks of cannabis use. The brochure includes information about the pharmacological effects of cannabis use, as well as information about the implications and risks associated with high potency cannabis products and the potential for THC to exacerbate certain mental health conditions. SB 540 specified that the review of the brochure be done in conjunction with the DCC's review of its labeling regulations. As of March 1, 2025, every cannabis retailer must prominently display the brochure at the point of sale or final delivery in person, and online at time of online purchase.

¹ California State Auditor. *Department of Cannabis Control: Unclear Rules and Insufficient Enforcement Hamper Its Ability to Identify Packaging That Is Attractive to Children*. Report No. 2024-105, August 2025.

This bill would add to the information that must be included on labels and inserts by additionally requiring the toll-free telephone number for the national Poison Help line to be included for edible cannabis products and cannabis beverages. The CSA audit reported that since 2016, there has been a 469 percent increase in the total number of calls to the California Poison Control System related to cannabis ingestion among children age five and younger, from 148 calls in 2016 to 842 calls in 2023. The author believes that displaying the national Poison Help line on cannabis products will help ensure that this resource is readily available in the event of a potentially life-threatening cannabis poisoning.

Cannabis Beverages. Manufactured cannabis products are essentially finished goods containing cannabis that include ingredients or materials beyond the cannabis plant itself. This includes edible cannabis products. MAUCRSA specifically requires that edible cannabis products be all of the following:

- a) Not designed to be appealing to children or easily confused with commercially sold candy or foods that do not contain cannabis.
- b) Produced and sold with a standardized concentration of cannabinoids not to exceed 10 milligrams THC per serving.
- c) Delineated or scored into standardized serving sizes if the cannabis product contains more than one serving and is an edible cannabis product in solid form.
- d) Homogenized to ensure uniform disbursement of cannabinoids throughout the product.
- e) Manufactured and sold under sanitation standards established by the DCC that are similar to the standards for preparation, storage, handling, and sale of food products.
- f) Provided to customers with sufficient information to enable the informed consumption of the product, including the potential effects of the cannabis product and directions as to how to consume the cannabis product, as necessary.
- g) Marked with a universal symbol, as determined by the DCC through regulation.

MAUCRSA defines “edible cannabis product” as a cannabis product that is intended to be used, in whole or in part, for human or animal consumption, including chewing gum. This definition was originally intended to capture both solid edibles (such as cookies or gummies) as well as liquid edibles (cannabis beverages). However, representatives of the cannabis beverage industry pointed out that many of the requirements and proposals for cannabis edibles generally do not necessarily make sense for liquid beverages, and suggested that cannabis beverages should be distinctly regulated from other edible manufactured products.

In 2022, the California Beverage Association sponsored AB 2155 (Villapudua), which distinctly defined “cannabis beverage” as a form of edible cannabis product that is intended to be consumed in its final state as a beverage. The bill did not exempt cannabis beverages from any existing requirements for manufactured cannabis products or edibles, nor did it create any new requirements for cannabis beverage manufacturers. However, by adding a specific definition for cannabis beverages, the intent was to provide an additional framework for future proposals to be enacted with more specificity toward the beverage industry.

The CSA report included a number of findings specific to cannabis beverages. While all edible cannabis products are prohibited from exceeding 10 milligrams THC per serving, the CSA report noted that cannabis beverages often contained a significant amount of THC per container. The CSA report stated:

Cannabis beverages contain multiple 10 mg servings of THC. For example, a four-ounce cannabis beverage packaged like an energy shot could have 100 mg THC even though the maximum single-serving dose is 10 mg THC. We observed cannabis beverage containers packaged in a way that provided no reasonable way to measure each serving. This packaging could be particularly dangerous for children because they may not stop consuming the beverage after drinking one-tenth of, for example, a 12-ounce can of cannabis-infused soda.

The CSA report pointed out that the high amount of total THC per cannabis beverage was especially problematic when ingested by children. The CSA noted that other jurisdictions have specific limits related to cannabis beverages. Five of the six beverages reviewed by the CSA were determined to contain a total of 100 milligrams THC—10 servings of 10 milligrams THC each—and the CSA reported that it “could not identify guidance on the packaging that would allow a consumer to easily measure a single serving size. For example, one product included marks on the exterior of the can noting 10 equal servings; however, the can was opaque, making it difficult to know how much the consumer had actually drunk.”

The CSA report recommended that the Legislature consider requiring easy understanding and measurement of serving sizes, such as through an included measuring device, in a manner similar to other states like Washington. The CSA further recommended that the Legislature consider establishing a cap on the amount of THC in one cannabis beverage container to 10 milligrams. This bill would effectuate the latter recommendation, while making an exception for medicinal tinctures.

Current Related Legislation. AB 2249 (Irwin) would establish a definition of “attractive to children” for purposes of prohibited advertising, marketing, packaging, and labeling of cannabis and cannabis products; require the DCC to produce a standardized rubric for determining whether cannabis products are attractive to children; and require the DCC to establish a process for licensees to request a written determination of whether a proposed packaging or labeling of a cannabis product is attractive to children. *This bill is pending in this committee.*

Prior Related Legislation. SB 540 (Laird) Chapter 491, Statutes of 2023 required the DCC to regularly reevaluate its regulations and determine whether additional warning labels are necessary to reflect evolving science regarding the risks of cannabis use and to create a brochure that includes steps for safer use of cannabis.

AB 1207 (Irwin) of 2023 would have placed additional restrictions on the advertising, marketing, packaging, and labeling of cannabis and cannabis products. *This bill was vetoed by the Governor.*

AB 2155 (Villapudua), Chapter 33, Statutes of 2022 defined “cannabis beverage” for purposes of MAUCRSA.

SB 94 (Committee on Budget and Fiscal Review), Chapter 27, Statutes of 2017 combined AUMA and MCRSA into a unified system for the regulation of cannabis, MAUCRSA.

ARGUMENTS IN SUPPORT:

Public Health Institute (PHI) supports this bill, writing: “100 mg is a dangerous dose. NIH defines a cannabis reference dose as 5 mg of tetrahydrocannabinol (THC), the psychoactive ingredient. The State of California defines an edible serving as not to exceed 10 mg, and no more than 100 mg per package, but requires doses to be clearly delineated. Canada allows no more than 10 mg THC total per package. Yet our legal market is rife with widely sold 100mg THC beverages often sold in fruit-flavored 2 ounce shots with bright colors and cartoons.” PHI further writes that the bill is “a simple, common sense provision to protect consumers and reduce preventable emergency room visits, car crashes, psychotic and panic episodes and other harms.”

ARGUMENTS IN OPPOSITION:

A coalition letter signed by *Pabst Labs* and other representatives of the cannabis industry oppose this bill, writing: “While we share the Legislature's commitment to protecting public health and preventing youth access, this bill's proposed 10mg THC per-package cap on cannabis beverages would have severe and immediate unintended consequences that far outweigh any purported public health benefit.” The coalition letter further states: “California has built one of the most highly regulated cannabis markets in the world. Just months after directing intoxicating cannabinoid products into the regulated cannabis market, the state is now proposing to eliminate the very category best positioned to absorb them. Policies that eliminate legal products, reduce tax revenue, and push consumers into the illicit market do not improve safety. They undermine the entire system.”

POLICY ISSUE(S) FOR CONSIDERATION:

Restrictions on Cannabis Beverages. While edible cannabis products are generally subject to a 10 milligram THC cap per serving, Proposition 64 did not establish a maximum number of servings per package or container. MAUCRSA requires that edible cannabis products in solid form be delineated or scored into standardized serving sizes if the cannabis product contains more than one serving. However, there is no similar requirement for cannabis beverages, despite the fact that some form of clearer delineation of servings within a container could conceivably be implemented. The author may wish to consider this alternative approach to addressing safe consumption of cannabis beverages prior to prohibiting products containing multiple servings per container.

AMENDMENTS:

- 1) To allow for cannabis beverages to contain multiple servings of up to 10 milligrams THC, while establishing safeguards to ensure consumers are able to distinguish individual servings within a container, strike the current language in Section 2 of the bill and instead amend subdivision (c) of Section 26130 of the Business and Professions Code as follows:

(c) Edible cannabis products shall be:

(1) Not designed to be appealing to children or easily confused with commercially sold candy or foods that do not contain cannabis.

(2) Produced and sold with a standardized concentration of cannabinoids not to exceed 10 milligrams tetrahydrocannabinol (THC) per serving.

(3)(A) *Delineated or scored into standardized serving sizes if the cannabis product contains more than one serving and is an edible cannabis product in solid form.*

(B) If the cannabis product is a cannabis beverage containing more than one serving, at least part of the product container shall be clear or semitransparent to visibly display the amount of liquid remaining within the container, and the container shall feature unobstructed and conspicuous lines delineating individual serving or portion sizes based on the level of liquid remaining within the container.

(4) *Homogenized to ensure uniform disbursement of cannabinoids throughout the product.*

(5) *Manufactured and sold under sanitation standards established by the department that are similar to the standards for preparation, storage, handling, and sale of food products.*

(6) *Provided to customers with sufficient information to enable the informed consumption of the product, including the potential effects of the cannabis product and directions as to how to consume the cannabis product, as necessary.*

(7) *Marked with a universal symbol, as determined by the department through regulation.*

- 2) To require the labels of cannabis beverages containing multiple serving to provide additional information to consumers, amend Section 1 of the bill to add a new paragraph to subdivision (c) of Section 26120 of the Business and Professions Code as follows:

For a cannabis beverage containing more than one serving, the label shall clearly and conspicuously, in print, provide a notice to the consumer that the product contains multiple servings and information regarding how to accurately measure a single serving for consumption.

- 3) To prohibit manufacturers and retailers from advertising or marketing cannabis beverages containing multiple servings in a manner that encourages immediate consumption of the entire container, amend Section 26152 of the Business and Professions Code to add a new subdivision (i) to prohibit a person engaged in commercial cannabis activity from doing the following:

Advertise or market cannabis beverages containing multiple servings as single-serve products or otherwise encourage consumption of multiple servings within a cannabis beverage at on time.

REGISTERED SUPPORT:

Public Health Institute
Youth Forward

REGISTERED OPPOSITION:

California Cannabis Industry Association
California Cannabis Operators Association
California NORML
California Statewide Law Enforcement Association
Cannabis Distribution Association

Catalyst
Embarc
Highlands Dispensary
Kiva Brands
Nabis
Pabst Labs
Sorse Technology
Spacestation Beverage
Stiiizy
Uncle Arnie's

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