
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2706 (Soria) - Acidified foods and low-acid foods

Version: June 4, 2026

Urgency: No

Hearing Date: June 22, 2026

Policy Vote: HEALTH 10 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: AB 2706 would replace the state's cannery inspection law with new provisions governing commercial manufacturing, processing, or packing of an acidified food or low-acid food.

Fiscal Impact: Unknown ongoing costs, potentially over \$150,000, for the California Department of Public Health (CDPH) to administer the new program (Food Safety Fund); unknown increased fee revenues to support the costs of CDPH administration; and unknown cost offsets from redirecting resources from the existing cannery inspection program.

Background:

California Cannery Inspections. State law provides for the licensure and regulation by CDPH of entities engaged in the canning of fish, meats, or any other food product which requires the use of a pressure cooker. Current law requires CDPH to collect from each cannery, in addition to an annual license fee, a pro rata share of the estimated cost of inspection and laboratory control. The state's cannery inspection law was enacted in 1925 in response to a number of fatalities due to botulism outbreaks in canned olives and other canned foods that were produced in California. Foodborne botulism is caused by the ingestion of food containing the neurotoxin produced by the bacterium *Clostridium botulinum*. Hermetically sealed containers of low-acid foods and/or acidified foods that are devoid of oxygen and stored without refrigeration are particularly susceptible to the growth of *Clostridium botulinum* and the hazard of toxin formation if they are not properly processed. To prevent botulism in shelf-stable canned foods, the food is placed into their final containers, sealed, and then subject to thermal sterilization processes where the containers are placed into a retort, which is essentially a large pressure cooker.

Federal Food Safety Modernization Act. Under the federal Food Safety Modernization Act, commercial processors of shelf stable acidified foods and low-acid canned foods in a hermetically sealed container to be sold in the United States are required to register each establishment and to file "scheduled processes" with the federal Food and Drug Administration (FDA) for each product, container size and type, and processing method. Federal regulations define "scheduled process" to mean the process selected by a processor as adequate for use under the conditions of manufacture for a food in achieving and maintaining a food that will not permit the growth of microorganisms having public health significance. It includes control of pH and other critical factors equivalent to the process established by a competent processing authority.

Proposed Law: Specific provisions of the bill would:

- Repeal the cannery inspection law.
- Prohibit a person from engaging in the commercial manufacturing, processing, or packing of an acidified food or low-acid food, including any fish or fish product, or any meat or meat product, for the use or consumption by people or animals without: (1) a scheduled process, as defined in federal regulations, obtained from a processing authority, and (2) registering with CDPH.
- Require a person who manufactures, processes, or packs any acidified food or low-acid food in violation of these provisions to pay CDPH all reasonable costs of inspection and any laboratory examination, as determined by the department, that were necessary to ascertain that the embargoed product was packed in violation; and provide that these costs paid to CDPH be deposited into the existing Food Safety Fund.
- Require every person engaged in the manufacture, packing, or holding of an acidified food or low-acid food in this state required to have a scheduled process to pay \$350 annually in addition to an annual food processor registration fee; and require that revenue from the \$350 fee be deposited into the existing Food Safety Fund for use by CDPH, upon appropriation by the Legislature, for the purpose of conducting inspections and reviews of facilities that manufacture, pack, or hold an acidified food or low acid-food required to have a scheduled process.
- State the intent of the Legislature that these provisions be interpreted and implemented in a manner consistent with applicable federal requirements, as specified; and require CDPH, to the extent practicable, to administer and enforce these provisions in a manner that does not conflict with and is consistent with those federal requirements.

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