

Date of Hearing: April 29, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2779 (Committee on Agriculture) – As Introduced March 5, 2026

Policy Committee: Agriculture

Vote: 8 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill provides that a “food item for human consumption” does not include a dietary supplement, as defined in federal law, for purposes of compliance with food date labeling requirements established in AB 660 (Irwin), Chapter 911, Statutes of 2024.

FISCAL EFFECT:

The California Department of Food and Agriculture and the California Department of Public Health do not anticipate any costs because of this bill.

COMMENTS:

Background. AB 660, among other things, requires, beginning July 1, 2026, a food manufacturer, processor, or retailer responsible for the labeling of food items for human consumption to use “best if used by” to indicate quality and “use by” to indicate safety of a food item, and prohibits the use of the term “sell by.” According to the Assembly Agriculture Committee, dietary supplements were not intended to be included in the scope of AB 660.

Among others in support, the Council for Responsible Nutrition writes:

This clarification is important as the standardized date labels outlined in AB 660 are intended to indicate “peak freshness” or “food safety” for food products. Dietary supplement products, following FDA regulations, communicate shelf-life expiration dates, commonly using the term “expiration” or similar terms for different purposes than those captured under AB 660. AB 2779 will clarify that dietary supplement products are not subject to the requirements of AB 660, allowing dietary supplement manufacturers to continue to indicate shelf-life in a manner that is consistent with their FDA compliance obligations and avoiding consumer confusion.

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