SENATE THIRD READING
SB 869 (Weber Pierson)
As Amended August 18, 2026
Majority vote

SUMMARY

Requires, on or before January 1, 2029, a chain restaurant offering a standard menu beverage item with high added sugar content, as defined, to display on its menus an added sugar icon immediately adjacent to each standard menu beverage item with high added sugar content, *indicating that the added sugar content of the item contains or exceeds 100% or more per serving of the daily value for added sugar used by the United States Food and Drug Administration (FDA) on January 1, 2026. Requires the information to be posted on drive-through menus, directly on the chain restaurant's menus, and in a digital format, including, but not limited to, by using a quick response (QR) code that links to the chain restaurant's digital menu or nutritional guide.*

Major Provisions

COMMENTS

Daily Value for Added Sugars. Added sugars include sugars that are added during the processing of foods (such as sucrose or dextrose), foods packaged as sweeteners (such as table sugar), sugars from syrups and honey, and sugars from concentrated fruit or vegetable juices. They do not include naturally occurring sugars that are found in milk, fruits, and vegetables. According to the FDA's webpage titled, "*Added Sugars on the Nutrition Facts Label,*" the Daily Value for added sugars is 50 grams per day based on a 2,000 calorie diet.

Added Sugar Consumption. Americans on average consume much more added sugars than recommended (more than 67 grams). Sugar occurs naturally in all foods that contain carbohydrates, such as fruits, vegetables, grains, and dairy. Common sources of added sugar are flavored yogurts, ready-to-eat cereals, cookies, cakes, candy, most processed foods, and sugar sweetened beverages. Sugar is also present in items such as soup, bread, cured meat, and ketchup. Generally, sugar sweetened beverages are the largest source of added sugars, including carbonated and noncarbonated soft drinks, fruit drinks, and sports and energy drinks. For example, a 20-ounce bottle of popular sodas, energy drinks, and ice teas can contain more than 60 grams of added sugars. A 2020 study found that more than 20% of fast-food or quick-service restaurant customers purchased sugary drinks containing at least 200 calories (50 grams of added sugars) during their visit.

Impacts of excess sugar intake. A 2023 study published in the *British Medical Journal* titled "Dietary sugar consumption and health: umbrella review" found that dietary sugar consumption had harmful associations with health outcomes, including obesity, type 2 diabetes, cardiovascular disease, overall cancer mortality and all cause mortality. Excess consumption of sugar, especially in sugary beverages, also contributes to weight gain by tricking the body into turning off its appetite-control system. Liquid calories are not as satisfying as calories from solid foods, so it is easier for people to consume extra calories when drinking sugary beverages.

New York City's (NYC) Warning Icon for Added Sugars. According to a press release issued by the NYC Health Department titled "New Added Sugars Warning Rule Goes Into Effect," in

October 2025, the NYC Health Department implemented a rule requiring chain restaurants to identify menu items high in added sugars. NYC chain restaurants must now post an icon on their menus next to any prepackaged food or drink or non-packaged equivalent that contains 50 grams or more of added sugars, the daily recommended limit for a 2,000 calorie diet. The rule also requires chain restaurants to warn consumers of the health dangers associated with eating and drinking too many added sugars over time, such as an increased risk of type 2 diabetes, weight gain, and tooth decay. The law applies to almost 4,000 restaurants in NYC that are part of chains that have 15 or more locations nationwide. NYC is the first in the nation to implement a warning icon for added sugars. Calorie information and sodium warnings are already found on menus and menu boards across NYC chain restaurants, and initial studies show that added sugars icons and health warnings improve consumers' ability to recognize high-sugar items and may reduce the amount of added sugars ordered. The added sugars warning icon allows consumers to quickly identify pre-packaged and non-packaged equivalent products that exceed nationally recommended limits for daily added sugars consumption.

Menu Labeling Requirements for Chain Restaurants. Federal menu labeling requirements requires chain restaurants with 20 or more locations operating under the same business name with substantially the same menu, and "other similar" eating establishments, to provide nutrition information related to standard menu items. Covered establishments must disclose the number of calories contained in standard items on menus and menu boards. For self-service foods and foods on display, calories must be listed in close proximity and clearly associated with the standard menu item. Businesses must also provide, upon request, the following written nutrition information for standard menu items: total calories; total fat; saturated fat; trans fat; cholesterol; sodium; total carbohydrates; sugars; fiber; and protein. In addition, two statements must be displayed—one indicating this written information is available upon request, and the other about daily calorie intake, indicating that 2,000 calories a day is used for general nutrition advice, but calorie needs vary.

Impact of Warning Labels. In late March 2020, Mexico announced front-of-pack warning labels (FOP-WLs) on packaged foods and beverages to address diet-related non-communicable diseases. According to a research article published in the journal *Social Science & Medicine* titled, "Changes in sales of packaged food and beverages, energy and nutrients after the implementation of front-of-pack warning labels in Mexico," this policy, implemented in October 2020, aims to inform consumers about the excessive content of calories and health-harming nutrients (added sugars, sodium, and saturated fats) while encouraging producers to reformulate their products to reduce the number of FOP-WLs on these products. FOP-WLs provide nutritional information using black octagons to indicate "excess" calories, added sugars, sodium, saturated fat, and trans-fatty acids when these exceed predefined thresholds. The article highlights that although overall sales volume remained stable, reductions in calories, added sugars, saturated fats, and sodium were observed after the policy implementation.

The article further notes that in Chile, the first country to implement FOP-WLs, the policy reduced food and beverage purchases and encouraged reformulation. For example, among "high in" food and beverages, purchases decreased by 23.8% in calories, 36.7% in sodium, and 26.7% in sugars compared with the counterfactual scenario. The proportion of products with any "high in" label also decreased from 51% to 44%, suggesting product reformulation. In Peru, FOP-WLs led to sugar reductions in beverages and saturated fat in foods. Despite initial concerns raised by the food industry, they were able to reformulate products to avoid warning labels. These findings suggest that mandatory FOP-WLs influence food purchasing behavior and promote product reformulation.

According to the Author
The author states that as a physician, she and many others know that excessive consumption of added sugar is associated with increased risk of obesity, type 2 diabetes, heart disease, and other chronic health conditions. The author continues that sugary beverages are a significant source of added sugars in the American diet and are often consumed without a clear understanding of how much sugar they contain. The author continues that consumers frequently make purchasing decisions quickly, especially in restaurant settings, and may not have access to detailed nutrition information at the point of selection. The author states that clear, standardized labels placed directly on menus can help address this information gap. The author concludes that this bill addresses this information gap by requiring chain restaurants with 20 or more locations to display a clear and conspicuous added sugar warning icon next to beverage items that contain high levels of added sugar.

Arguments in Support
The American Diabetes Association (ADA) is a sponsor of this bill and state in support that this bill would require large chain restaurants with 20 or more locations nationwide to display a warning icon next to standard beverage menu items that contain high added sugar content equal to 100% or more of the recommended daily limit. ADA continues that by introducing these standards, this bill takes an important step toward improving the dietary environment for Californians and protecting them from early risk factors tied to Type 2 diabetes, obesity, and cardiovascular disease. ADA notes that restaurants are a frequent source of food for American families, with families dining out at an average of four to five times each week. ADA explains that sugary drinks are the number one source of added sugars in U.S. diets. ADA argues that this bill does not restrict choice, it simply ensures transparency, giving consumers the information they need to take control of their own health. Californians deserve to have clear, easy-to-understand information at the point of purchase. ADA concludes that this bill promotes heart-healthy habits, fosters environments where consumers have access to balanced meal options, and encourages greater awareness among consumers about the importance of nutrition.

Arguments in Opposition
The California Fuels and Convenience Alliance California, and the California Grocers Association are opposed to this bill and respectfully requests a change to the on-menu warning icon & statement mandate in this bill to a more informative, collaborative, and workable approach, such as provided in SB 68 (Menjivar) of 2025. This would mean allowing restaurants to communicate sugar content information through a digital format, including via a QR code, with an alternative method for customers who cannot access that information in a digital format. The coalition believes that this requested amendment will help achieve the author's goal of informing consumers while limiting undue harm to an already struggling industry.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, minor and absorbable costs to the California Department of Public Health and local environmental health agencies.

VOTES

SENATE FLOOR: 29-4-7

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Alvarado-Gil, Choi, Grove, Seyarto
ABS, ABST OR NV: Dahle, Hurtado, Jones, Niello, Ochoa Bogh, Strickland, Valladares

ASM HEALTH: 10-3-3
YES: Bonta, Addis, Aguiar-Curry, Ahrens, Mark González, Patel, Celeste Rodriguez, Schiavo, Sharp-Collins, Stefani
NO: Jeff Gonzalez, Johnson, Patterson
ABS, ABST OR NV: Sanchez, Caloza, Carrillo

ASM APPROPRIATIONS: 11-2-2
YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache
NO: Dixon, Tangipa
ABS, ABST OR NV: Hoover, Ta

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