



March 16, 2026

The Honorable Mia Bonta, Chair
Assembly Committee on Health
Legislative Office Building
1020 N Street, Room 390
Sacramento, CA 95814

RE: AB 2034 (Addis) - Food safety: unsafe additives and ingredient disclosures - OPPOSE

Dear Chairperson Bonta,

On behalf of a coalition of the undersigned organizations representing food and beverage manufacturers, agricultural producers, retailers, and suppliers across California's food supply chain, we write to respectfully express our opposition to AB 2034.

While we share the author's stated goal of improving public health and ensuring the safety and transparency of food ingredients, AB 2034 establishes a broad and duplicative regulatory framework that overlaps substantially with existing law, creates significant new administrative burdens, and would impose substantial costs on both the State of California and the food supply chain without clear evidence of improved public health outcomes.

Significant overlap with recently enacted law

Just last year, the Legislature enacted the Real Food, Healthy Kids Act AB 1264 (Gabriel), which already establishes a comprehensive framework for evaluating and regulating food ingredients, as ultraprocessed foods, many of which are subject to this legislation.

AB 1264 requires the California Department of Public Health (CDPH) to:

- Review all food ingredients that could be used in a school lunch program and identify "Ultraprocessed Food."
- Adopt regulations defining "ultraprocessed foods of concern" and "restricted school foods" by June 1, 2028.
- Conduct scientific evaluations of food ingredients and substances associated with adverse health outcomes.
- Consult with multiple state agencies and scientific experts, including the Office of Environmental Health Hazard Assessment (OEHHA), the California Department of Education, the California Department of Food and Agriculture, and University of California researchers.
- Develop a vendor reporting system requiring food manufacturers and suppliers to submit product ingredient, nutrition, and classification information.

- Maintain a regulatory process to update definitions and evaluate emerging scientific evidence.
- Submit ongoing reports to the Legislature regarding implementation and outcomes.

AB 2034 proposes to create a separate statewide additive licensing and review system administered by CDPH that would evaluate many of the same ingredients and substances already subject to review under the AB 1264 framework.

As a result, AB 2034 would establish a parallel regulatory structure addressing substantially the same scientific questions and policy objectives.

Rather than allowing the AB 1264 framework to be implemented and evaluated, AB 2034 creates a duplicative system that risks regulatory confusion, inconsistent determinations, and unnecessary administrative complexity.

In addition, CDPH already has authority under the Health and Safety Code section 110070 in the Sherman Food, Drug, and Cosmetic Laws, which allows CDPH, “upon the petition of any interested party,” to adopt regulations prescribing tolerances for poisonous or deleterious substances, food additives, or color additives, and to prescribe conditions under which a food additive or color additive may be safely used, including banning the ingredients use for food in California.

Overlap with Proposition 65

California’s Proposition 65 is a well-established review and warning statute for any food ingredients that pose a risk through carcinogenicity or reproductive toxicity. This program, managed by the OEHHA is a scientifically rigorous review. AB 2034 would duplicate this review process at CDPH, creating another duplicative food ingredient review process in an unrelated department housed in another administrative agency.

Creation of an expansive licensing and enforcement framework

In addition to duplicating elements of AB 1264, AB 2034 would require the creation of an entirely new and costly licensing, reporting, and enforcement program for food additives used in products sold in California.

The bill would require CDPH to:

- Establish a licensing process for food additives.
- Conduct ongoing scientific safety evaluations and reassessments.
- Maintain a statewide database of additive notices.
- Operate a public ingredient disclosure platform.
- Monitor compliance and enforce the new licensing requirements.

This represents a substantial expansion of state oversight into an area already governed by existing federal and state food safety frameworks.

Significant fiscal impact

AB 2034 also proposes significant cost impacts to both the state and consumers.

The recently enacted AB 1264 implementation budget request estimates \$8.84 million over three years simply to establish a regulatory process focused on school food environments and to build a vendor reporting system.

By comparison, AB 2034 would require the creation of an entirely new statewide licensing and enforcement program covering food additives used across the broader food supply. Given the scope of the program, including licensing, scientific review, database development, and ongoing compliance monitoring, the costs associated with AB 2034 would greatly exceed those already identified for AB 1264.

At a time when the State is facing ongoing fiscal pressures, establishing a second major regulatory system addressing similar policy questions raises serious concerns regarding the efficient use of public resources.

In addition, this bill will undoubtedly lead to higher food costs for California consumers. A recent study by Americans for Ingredient Transparency found that legislation passed in Louisiana, Texas, and West Virginia banning certain ingredients or requiring new labeling on products will lead to a 12 percent increase in grocery prices for American households. Given California's ongoing affordability crisis, passing legislation that increases food prices, to create a duplicative regulatory program does not seem like a reasonable policy.

Risk of regulatory duplication and supply chain disruption

California's food supply chain is deeply integrated with national and global markets. Creating a unique state level licensing regime for food additives could introduce significant regulatory uncertainty for manufacturers and suppliers that operate across multiple states. Duplicative regulatory frameworks, particularly when layered on top of newly enacted state programs, can lead to increased compliance costs, supply chain disruptions, reduced product availability, and increased costs for consumers.

These impacts are particularly concerning given the broad scope of the proposed licensing requirements.

Allow existing frameworks to be implemented

AB 1264 represents a significant and complex policy initiative that has not yet been implemented. CDPH is currently in the early stages of developing regulations and still awaiting funding to begin the implementation of the bill. Before establishing an additional statewide licensing framework addressing similar issues, the Legislature should allow the AB 1264 process to move forward and evaluate its effectiveness.

In addition, there is significant work occurring at the Federal level to regulate food ingredients and establish a uniform definition of "Ultraprocessed Foods." The U.S. Food and Drug Administration (FDA) and the U.S. Department of Agriculture (USDA) are currently in the middle of developing a uniform national definition of "Ultraprocessed foods" that will consider health impacts, ingredients, and additives. Many of our organizations are engaged in this Federal process and believe that another separate state level program would only add to the confusion and complexity of the issue.

For these reasons, we respectfully oppose AB 2034. We remain committed to working with the author and the Legislature on policies that improve transparency and support public health while ensuring that

regulatory approaches are scientifically grounded, efficient, and coordinated with existing state and federal frameworks.

Sincerely,



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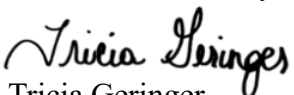
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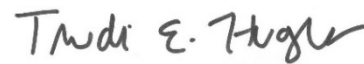
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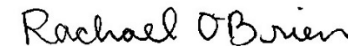
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