

Date of Hearing: April 15, 2026

**ASSEMBLY COMMITTEE ON AGRICULTURE**

Esmeralda Soria, Chair

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

**SUBJECT:** Food labeling: quality dates, safety dates, and sell-by dates

**SUMMARY:** This bill would exempt dietary supplements from labeling requirement that requires food manufacturers, processors, and retailers responsible for the labeling of food items, beginning July 1, 2026, 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."

**EXISTING LAW:**

Regulates milk and milk products and establishes standards for the manufacturing, handling, processing, and marketing of milk and milk products. (FAC 32501, 32731-32834)

Requires that there appear on the package or container of market milk, market cream, and other milk products made from market milk or any component or derivative of market milk the date established by the processor as the date on which, in order to ensure consumer quality, the product is normally removed from the shelf or similar location from which the milk product is offered for sale to the consumer. (FAC 82001)

**FISCAL EFFECT:** Unknown

**COMMENTS:** AB 660 (Irwin) of 2024 (FAC 82001) required food manufacturers, processors, and retailers responsible for the labeling of food items, beginning July 1, 2026, 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." Dietary supplements were not intended to be a part of AB 660 scope.

Recent legislation, AB 899 (Muratsuchi) of 2023, and SB 862 (Committee on Health) adds a clarification that "Baby food" does not include infant formula or dietary supplements, for the purposes of health and safety code 110962 (1).

According to the author, this bill 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.

Supporters state 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.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Consumer Healthcare Products Association  
Council for Responsible Nutrition

**Opposition**

None on File

**Analysis Prepared by:** Victor Francovich / AGRI. / (916) 319-2084