

California Restaurants on the Brink of Adding Sugar Warnings to Menus

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California Senate Bill 869 (S.B. 869) was presented to Governor Gavin Newsom for his signature on September 4, 2026.¹ If signed into law, S.B. 869 would require restaurant menu labeling for beverages containing 50 grams or more of added sugar.

Which Entities Does S.B. 869 Apply to?

S.B. 869 would apply to “chain restaurants,” which the legislation defines as food facilities that are both:

- A restaurant or similar retail food establishment, including a cafe or deli that serves food for immediate consumption and that is located within another retail establishment, regardless of whether the retail establishment owns the cafe or deli.
- Part of a chain with 20 or more locations operating under the same name and offering substantially the same menu items, regardless of the type of ownership of the locations.

What Does S.B. 869 Require?

S.B. 869 would require, on or before **January 1, 2029**, chain restaurants offering a standard menu beverage item with high added sugar content to display both of the following:

- **An added sugar icon** — an image of a sugar cube inside a black triangle — placed clearly and conspicuously on menus immediately adjacent to each standard menu beverage item with high added sugar content.
- **A clear and conspicuous warning** that the added sugar icon indicates the standard menu beverage item contains or exceeds the total daily recommended limit for added sugar.

“High added sugar content” means 100 percent or more of the daily reference value for added sugar established by the U.S. Food and Drug Administration (FDA), which is **50 grams** for adults and children four years of age and older.

A “standard menu beverage item” is “a beverage item that is prepared or poured at, and listed on a menu of, a chain restaurant and that is intended to be consumed by drinking, including a fountain drink, a blended beverage, or a variable beverage item that comes in different flavors, varieties, or combinations and is listed as a single item.”

There are also requirements for clear and conspicuous high sugar content labeling based on how beverages and their sizes are listed on the menu. If standard menu beverage items are listed on the menu by beverage size, the added sugar icon must be displayed next to the beverage item listing *and* next to each corresponding size with high added sugar content. On the other hand, if the beverage sizes are listed on the menu without any corresponding beverage item names, the added

sugar icon must be displayed next to each size for which *any* standard beverage has a high added sugar content.

The requirements would cover all “menus” which are defined as “the primary writing, regardless of how the writing is divided ... from which a customer makes an order selection,” including but not limited to:

- Drive-through menus
- Digital menus, except for those listed on a third-party platform not controlled by the chain restaurant (i.e., an internet website, application or other platform from which customers can access the chain restaurant’s menu)
- Menu boards or physical menus

Although chain restaurants must display the information directly on their drive-through menus, they may use a digital format, such as a quick response (QR) code that links to the chain restaurant’s digital menu or nutritional guide containing the added sugar icon(s) and warning statement. If the chain restaurant elects to use a QR code or other digital format, it must provide a clear and conspicuous statement to customers that the added sugar information can be accessed digitally. It must also provide the information through an alternative method (e.g., a menu handout, booklet, chart or grid) for customers who are unable to access the digital format.

Are There Any Exceptions or Exemptions?

S.B. 869 menu labeling requirements only apply if the restaurant or similar food establishment is a part of a chain with 20 or more locations.

S.B. 869 menu labeling requirements also do not apply to any of the following since they are excluded from the definition of “standard menu beverage items”:

- Prepackaged beverage items with added sugar content labeling that are served directly to customers.
- Beverage items appearing on a menu for less than a total of 60 days per calendar year or fewer than 90 consecutive days in order to test consumer acceptance.
- Beverage items without high added sugar content that are then modified or customized by the customer either while ordering or while at a beverage dispenser.
- Beverage items that contain alcohol.
- Frozen dairy products that are intended to be eaten with a spoon.

How is Compliance Verified?

Enforcement officers may confirm compliance by visual verification that the high added sugar content disclosures and other required information are displayed on physical and digital menus or by alternative methods. Though, enforcement officers may also employ other reasonable methods of verification that are consistent with the intent of the legislation.

Prepared by Kristi Weisner and Carleigh Lenz Mathis as of Sept. 28, 2026, based on Senate Bill 869 (available at https://calmatters.digitaldemocracy.org/bills/ca_202520260sb869). Please refer to

the full text of the bill for more detailed information to ensure compliance.

¹ [Restaurant Menus: Added Sugar Warnings](#), S.B. 869, Reg. Sess. (Cal. 2026) (to amend Cal. Health & Safety Code by adding a new Article 8.7 to Chapter 4 of Part 7 of Division 104 (new §§ 114094.15-.17)).