

# New California Law Bans Sale of Diet Pills and Certain Supplements to Minors

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On September 28, 2026, a California bill restricting the sale of over-the-counter diet pills and dietary supplements for weight loss or muscle building to persons under 18 years of age was officially signed into law. [Assembly Bill 2030](#) (“A.B. 2030”) follows a first-of-its-kind 2023 New York law that set similar requirements for retailers and delivery sellers to limit youth access to these products.

## What Products Does A.B. 2030 Cover?

- **Over-the-counter diet pills** — Under A.B. 2030, an “over-the-counter diet pill” is a nonprescription drug, as defined under the Federal Food, Drug and Cosmetic Act (FDCA), “that is labeled, marketed or otherwise represented for the purpose of achieving weight loss.”
- **Dietary supplements for weight loss or muscle building** — A.B. 2030 also restricts the sale of “dietary supplement[s] for weight loss or muscle building,” which is a dietary supplement, as defined in the FDCA, “that is labeled, marketed or otherwise represented for the purpose of achieving weight loss or building muscle.”

Note that the restrictions under A.B. 2030 do not apply to anyone over the age of 18 or to individuals with a prescription for an over-the-counter diet pill or dietary supplement for weight loss or muscle building, even if under 18.

## What Factors Will be Considered in Determining Whether a Supplement is Intended for Weight Loss or Muscle Building?

To determine whether a supplement is labeled, marketed, or otherwise represented for the purpose of achieving weight loss or muscle building, the court may consider the following factors, among others:

- Whether the product contains:
  - An ingredient approved by the FDA for weight loss or muscle building;
  - A steroid; or
  - Creatine, green tea extract, raspberry ketone, garcinia cambogia, or green coffee bean extract.
- Whether the product’s labeling or marketing bears statements or images that express or imply that the product will help with:
  - Modifying, maintaining or reducing body weight, fat, appetite, overall metabolism, or the process by which nutrients are metabolized; or
  - Maintaining or increasing muscle or strength.
- Whether the product or its ingredients are otherwise represented for the purpose of achieving weight loss or building muscle.
- Whether the retail establishment or delivery seller has:
  - Placed signs or categorized or tagged the product with the statements described above;

- Grouped the product with other weight loss or muscle building products in a display, advertisement, internet website, or area of the store;
- Otherwise representing that the product is for weight loss or muscle building.

### **What Practices are Restricted by A.B. 2030?**

A.B. 2030 prohibits a person from selling, offering to sell, or giving away “as either a retail or wholesale promotion, an over-the-counter diet pill or dietary supplement for weight loss or muscle building” to any person in California under the age of 18.

A “retail establishment” is “any vendor that, in the regular course of business, sells dietary supplements for weight loss or muscle building or over-the-counter diet pills at retail directly to the public, including, but not limited to, pharmacies, grocery stores, other retail stores, and vendors that accept orders placed by mail, telephone, electronic mail, internet website, online catalog, or software application.”

A “delivery seller” is “a person, including [an] online retailer[], who makes delivery sales of over-the-counter diet pills or dietary supplements for weight loss or muscle building[,]” where a “delivery sale” is “any sale of over-the-counter diet pills or dietary supplements for weight loss or muscle building to a buyer” in either of the following circumstances:

- When the buyer submits the order for the sale by telephone or another method of voice transmission, by mail, or through the internet or other online service, or when the seller is otherwise not in the physical presence of the buyer when the request for purchase or order is made.
- When the over-the-counter diet pills or dietary supplements for weight loss or muscle building are delivered to the buyer by common carrier, private delivery service, or another method of remote delivery, or the seller is not in the physical presence of the buyer when the buyer obtains possession of the over-the-counter diet pills or dietary supplements for weight loss or muscle building.

### **What Are the Penalties for Noncompliance?**

Noncompliance can result in civil penalties of up to \$500 per violation. Such civil penalties may be assessed and recovered in a civil action brought in the name of the people of the State of California by the attorney general, a county counsel, or a city attorney in any court of competent jurisdiction. In addition, the attorney general, a county counsel, or a city attorney may be granted a temporary or permanent injunction enjoining or restraining any person or entity from violating A.B. 2030 requirements.

Sellers should also consider implications beyond those expressly available under A.B. 2030, such as heightened risks of product liability lawsuits, potential breaches of contractual representations and warranties, and other similarly indirect theories of liability that could arise from noncompliance with A.B. 2030.

### **What Steps Should Sellers Take to Ensure Compliance?**

A.B. 2030 directs California-based retail establishments to “request valid identification from any person in th[e] state who attempts to purchase over-the-counter diet pills or dietary supplements for weight loss or muscle building if the retail establishment cannot reasonably determine that the

person appears to be under 18 years of age.” Such establishments should also enact measures to prevent unauthorized access to these products.

Delivery sellers and online retailers must ensure that the purchaser is at least 18 years of age by:

- Obtaining and verifying the full name, birthdate, and residential address of the purchaser by using commercially available data from government sources that are regularly used for age and identity verification and authentication; or
- Using a mailing or shipping method that requires the signature of an adult upon delivery.

Delivery sellers and online retailers who mail or ship over-the-counter diet pills or dietary supplements for weight loss or muscle building to consumers in California are banned from selling or delivering them to any person in California under the age of 18 and from attempting to accept a delivery sale order from a person without taking at least one of these measures.