

Food & Nutrition Policy Landscape



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MAHA, Dietary Guidelines, Ultra-Processed Foods, SNAP & more!

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Vision: Creating a healthier tomorrow through dairy.

Purpose Statement

Dairy Council of CA brings trusted nutrition education and strong partnerships together to nourish communities and strengthen dairy's future



Complex Nutrition Regulatory Environment



Federal

- Regulations
- Laws
- Oversight
- Most of the food and nutrition money comes from here

CA State

- Regulations
- Laws
- Usually stricter than Feds

Local

- Local ordinances
- Restrictions

Major Federal Nutrition Bills



Farm Bill

- Reauthorized approximately every 5 years
- Previously passed 2018, House passed new Farm Bill April 2026 still under Senate consideration
- Supplemental Nutrition Assistance Program (SNAP)
- Emergency Food Assistance Program (**TEFAP**)
- Commodity Supplemental Food Program (**CSFP**)
- Food Distribution Program on Indian Reservations (**FDPIR**)
- Senior Farmers' Market Nutrition Program (**SFMNP**)
- Gus Schumacher Nutrition Incentive Program (**GusNIP**)

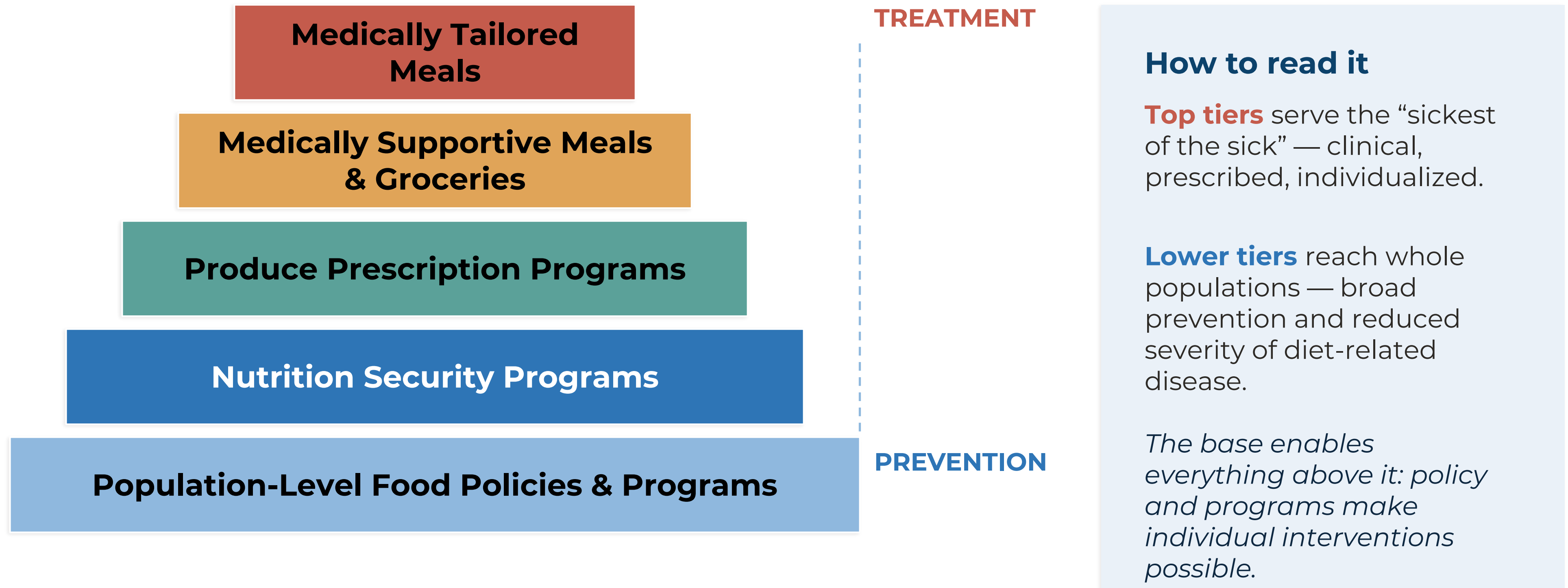
Child Nutrition Reauthorization Act

- Reauthorizes approximately every 5 years, the last time it passed was in **2010**, Modern WIC Act passed in **2025**
- Federal School Lunch and Breakfast Programs (**School Meals**)
- Supplemental Nutrition Program for Women, Infants, and Children (**WIC**)
- Child and Adult Food Program (**CACFP**)
- Summer Food Service Program (**SUN**)
- Special Milk Program (**SMP**)

The Food is Medicine Model



A national framework spanning a continuum of need — from population-wide prevention at the base to clinical treatment at the top.



Source: HHS / ODPHP & Food is Medicine Coalition pyramid frameworks

MAHA Strategy: Three Tiers of Action



TIER 1

Core Policy Focus

UPFs & Food System Reform

- Reduce reliance on ultra-processed foods (UPFs)
- Reform ingredients & additives (dyes, GRAS)
- Shift Dietary Guidelines → whole, nutrient-dense foods
- Federal levers: SNAP, school meals, labeling

TIER 2

System & Market Levers

Broad Reform Across Food & Agriculture

- Improve nutrition standards in federal programs
- Strengthen labeling & marketing oversight
- Align agriculture, supply chains & incentives
- Educational campaigns

TIER 3

Emerging / Innovation

Prevention & Care Models

- "Food as Medicine" models
- Lifestyle & prevention-focused care
- Public-private partnerships & research
- Medicare pilot models (2026)

Whole Milk for Healthy Kids Act



Returns whole and 2% milk back to school meals



Applies to National School Lunch and Breakfast programs



May offer flavored varieties



Local district decision on what is offered



Goal is to increase participation, reduce waste

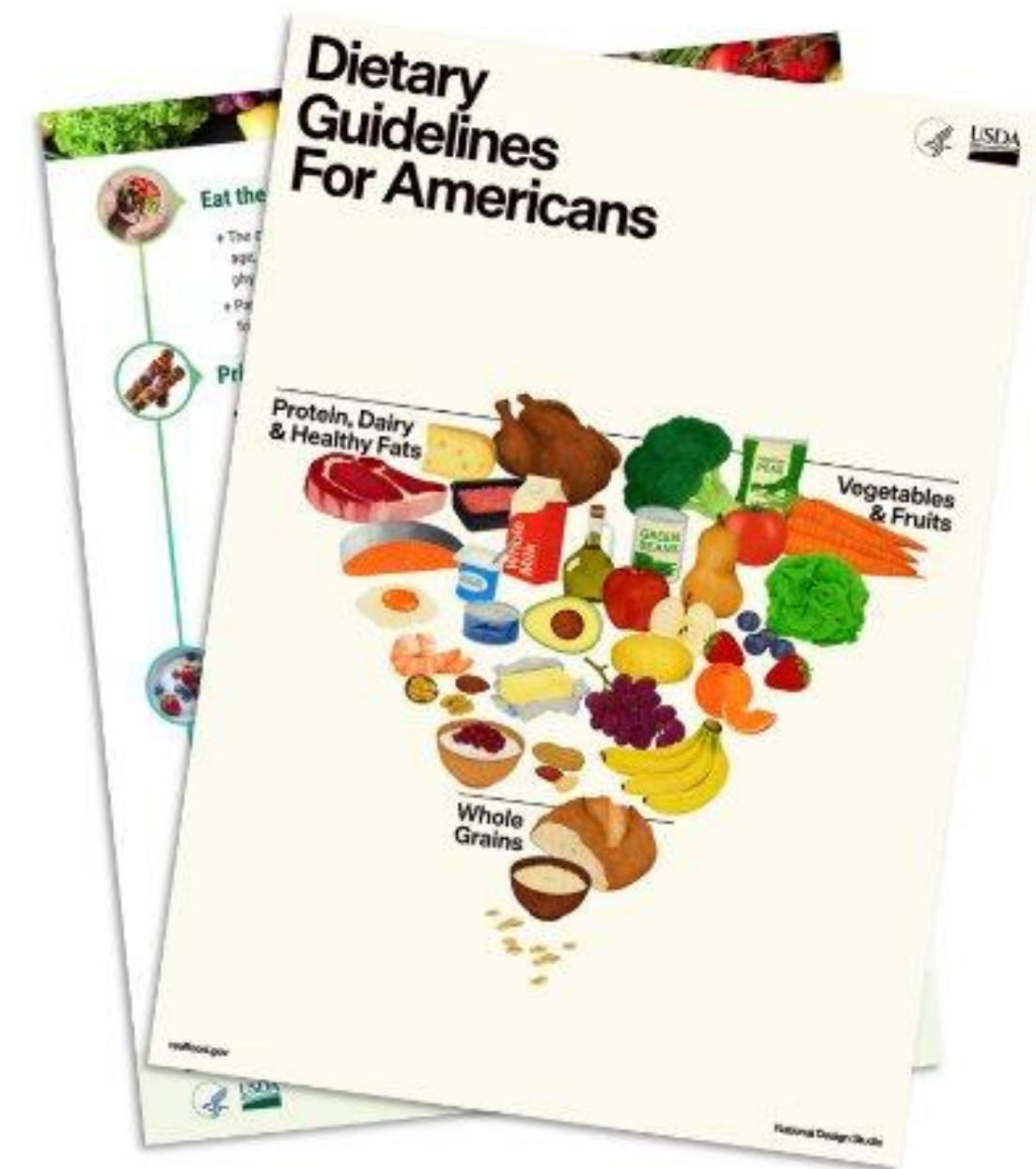


Budget Impacts could slow uptake

2025-2030 Dietary Guidelines for Americans (DGAs)

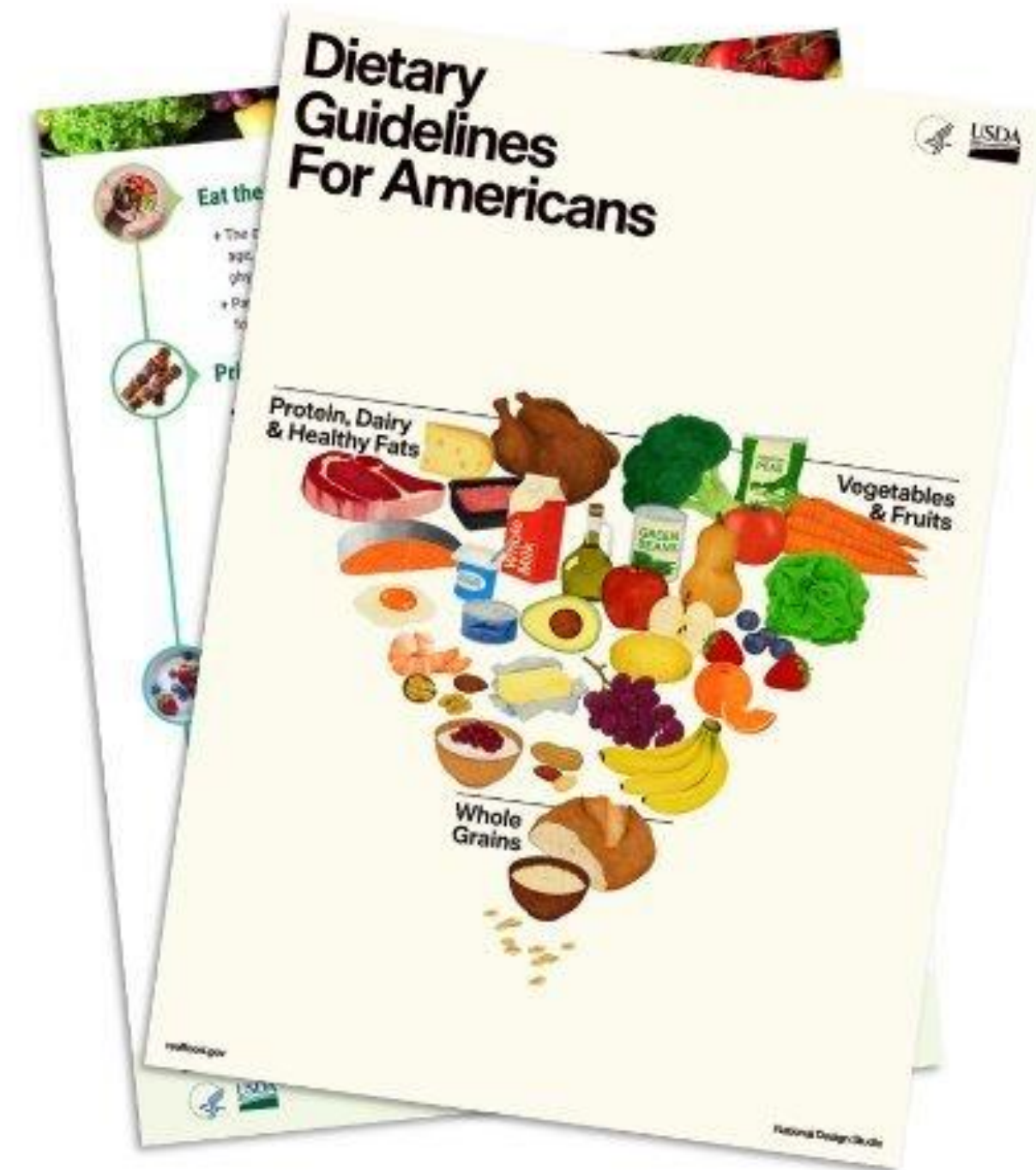


- Released in January 2026
- Foundation for federal food, nutrition and health policies (school meals, WIC, SNAP, etc.)
- Emphasizes “eat real food” message
- New website: Realfood.gov
- Focus on Proteins and Healthy Fats



Dairy at All Fat Levels Recommended

- Include dairy foods at all fat levels in a healthy diet
 - Saturated fat shouldn't exceed 10% of daily calories (2% and below)
 - Full-fat dairy with no added sugars
 - Butter is an option in “healthy fats” group
- Fermented foods, including kefir, noted for role in gut health



SNAP Updates



23 States
received
waivers for
SNAP
Restrictions



SNAP-Ed
nutrition
education
funding
eliminated



Increased
Stocking
standards



New rules for
eligibility,
reducing
grocery
dollars



Error
Rates/State
fees-how will
these impact

Judge Blocks Bans on Using Food Stamps for Sugary Drinks and Candy

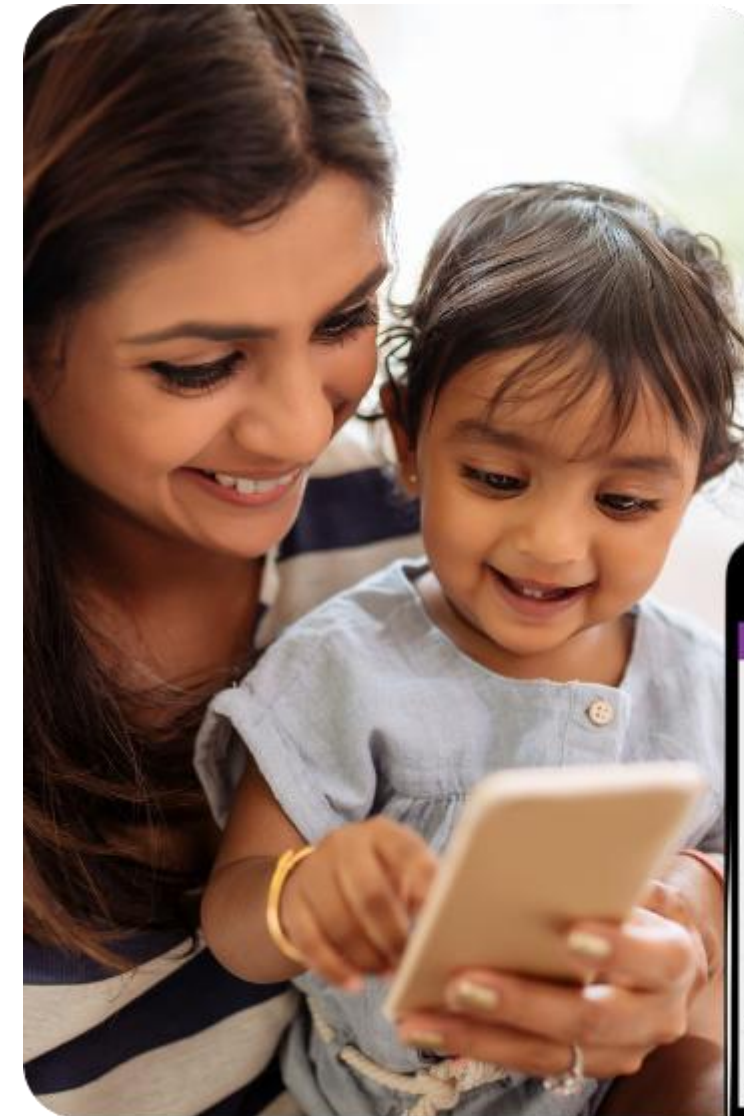
A federal judge ruled that the Agriculture Department lacked the authority to approve state waivers that restrict what SNAP participants can buy with their benefits.

WIC Modernization: New Yogurt Options



Families can now choose fruit-flavored yogurts in 32 oz. containers, including:

- Strawberry
 - Blueberry
 - Mango
 - Peach
 - Strawberry Banana
- More updates based on the new DGAs expected in the near future



Expected Actions in 2026–2027



Finalization of UPF Definition

Federal standard defining ultra-processed foods foundation for all regulation



Federal Nutrition Program Updated Guidelines

Updated standards for SNAP, school meals & WIC aligned to whole-food priorities



Expansion of State & Federal Policy Alignment

Coordinating state-level initiatives with federal MAHA framework



Food as Medicine Pilots — Launch & Evaluation

Medicare model starting 2026; produce prescriptions, medically tailored meals

Defining and Regulating Ultra-Processed Foods

NOVA Food Classification

Unprocessed or minimally processed foods

Foods in their natural state or that have undergone minimal processing techniques.



Processed culinary ingredients

Ingredients taken from whole foods and used to season, cook and create culinary dishes.



Processed foods

Foods made by adding processed culinary ingredients to preserve them or enhance flavor.



Ultra-processed foods

Food products made from refined ingredients and additives, often designed for convenience and long shelf life.



- A new federal definition of ultra-processed foods is expected in 2026.
- Over 25 states have proposed actions related to food additives.
- California's AB 1264 will remove particularly harmful ultra-processed foods from school meals by 2035.

Health Eating Research UPF Definition and Implications



Proposed Definition

- Uses Nova 4 as the scientific foundation for identifying UPFs
- Ingredient-marker approach
- Recommends that some foods be exempt from UPF-targeted policies if they meet a modified version of FDA's "Healthy" criteria



Health Eating Research (HER) UPF Definition and Implications



Implications for Dairy

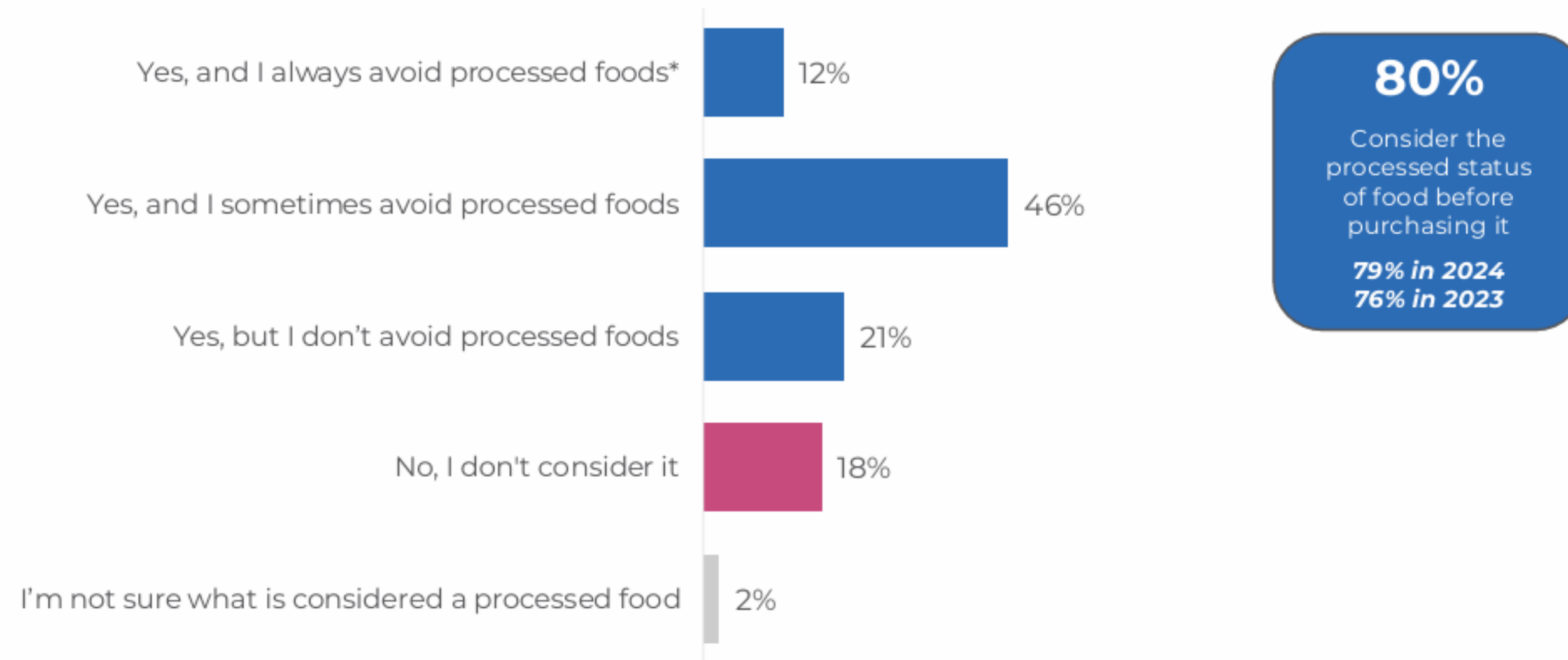
- Many yogurts in HER analysis meet the dairy food-group requirement but exceeded added sugar or saturated fat thresholds of FDA's "Healthy" criteria.
- Common UPF markers in yogurt included thickeners, emulsifiers, sweeteners, flavors.

Eight in ten Americans consider whether food has been processed before purchasing it, similar to 2023 and 2024.

Four in ten Americans (39%) say they do not avoid processed foods (21%) or do not consider whether a food is processed (18%) before buying it. Two percent are not sure what is considered a processed food.



Consideration of Processed Status of Foods and Beverages Before Purchase

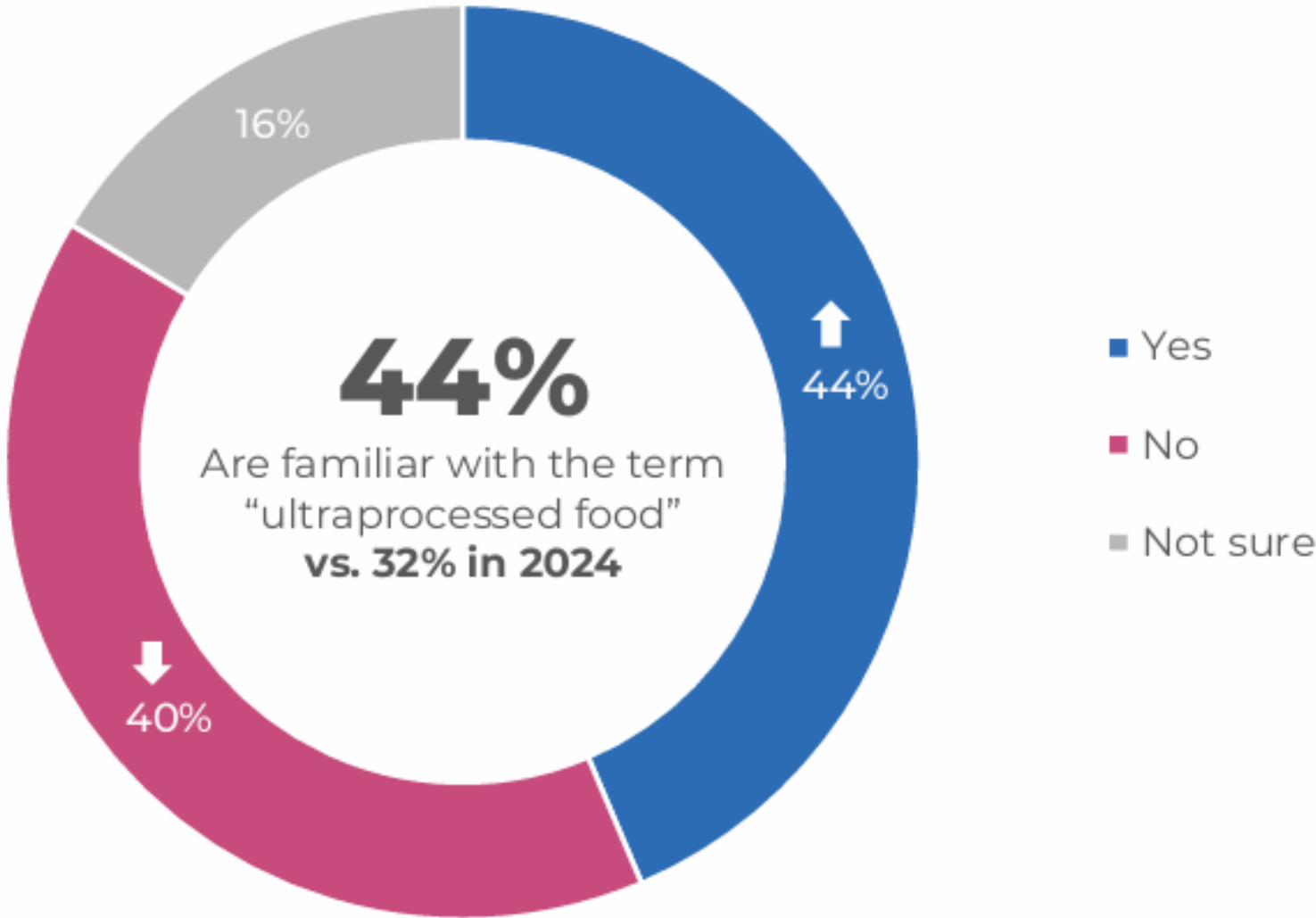


In 2025, more than 4 in 10 Americans are familiar with the term “ultraprocessed food,” a 12-point jump from 2024.

Forty percent of Americans are unfamiliar with the term “ultraprocessed foods,” down from 52% in 2024. Those who are unsure remains unchanged at 16%.



Familiarity with the Term “Ultraprocessed Food”

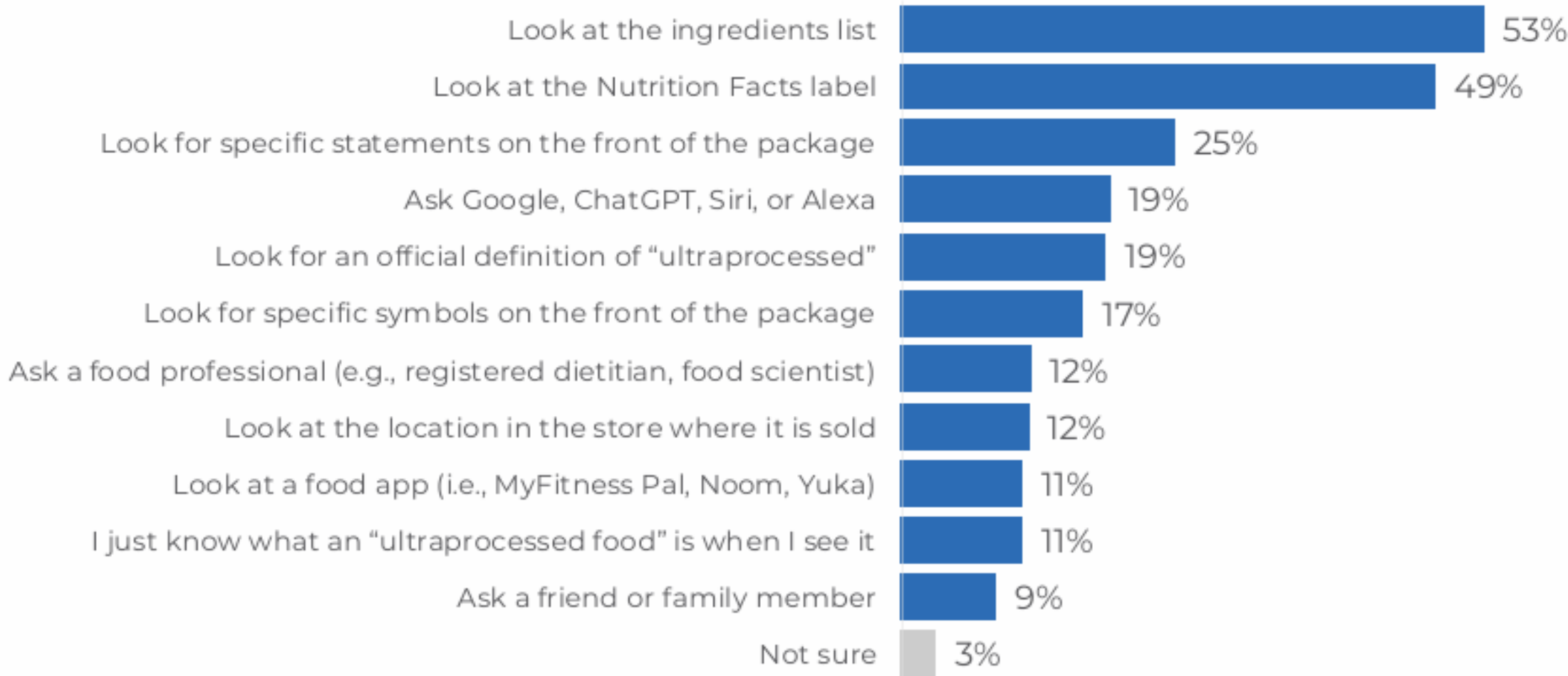


Among those who are familiar with the term “ultraprocessed food,” half look at the ingredients list and/or the Nutrition Facts label to decide whether a food is “ultraprocessed.”



The top two ways Americans say they would decide if a food is “ultraprocessed” are by looking at information currently on food packaging—the ingredients list (53%) and/or Nutrition Facts label (49%). Fewer would use AI assistance (19%), the food’s location in a store (12%), and/or a food app (11%). One in ten (11%) say they know an “ultraprocessed food” when they see it.

Approaches To Identifying Ultraprocessed Food
(Of those familiar with the term “ultraprocessed food”)



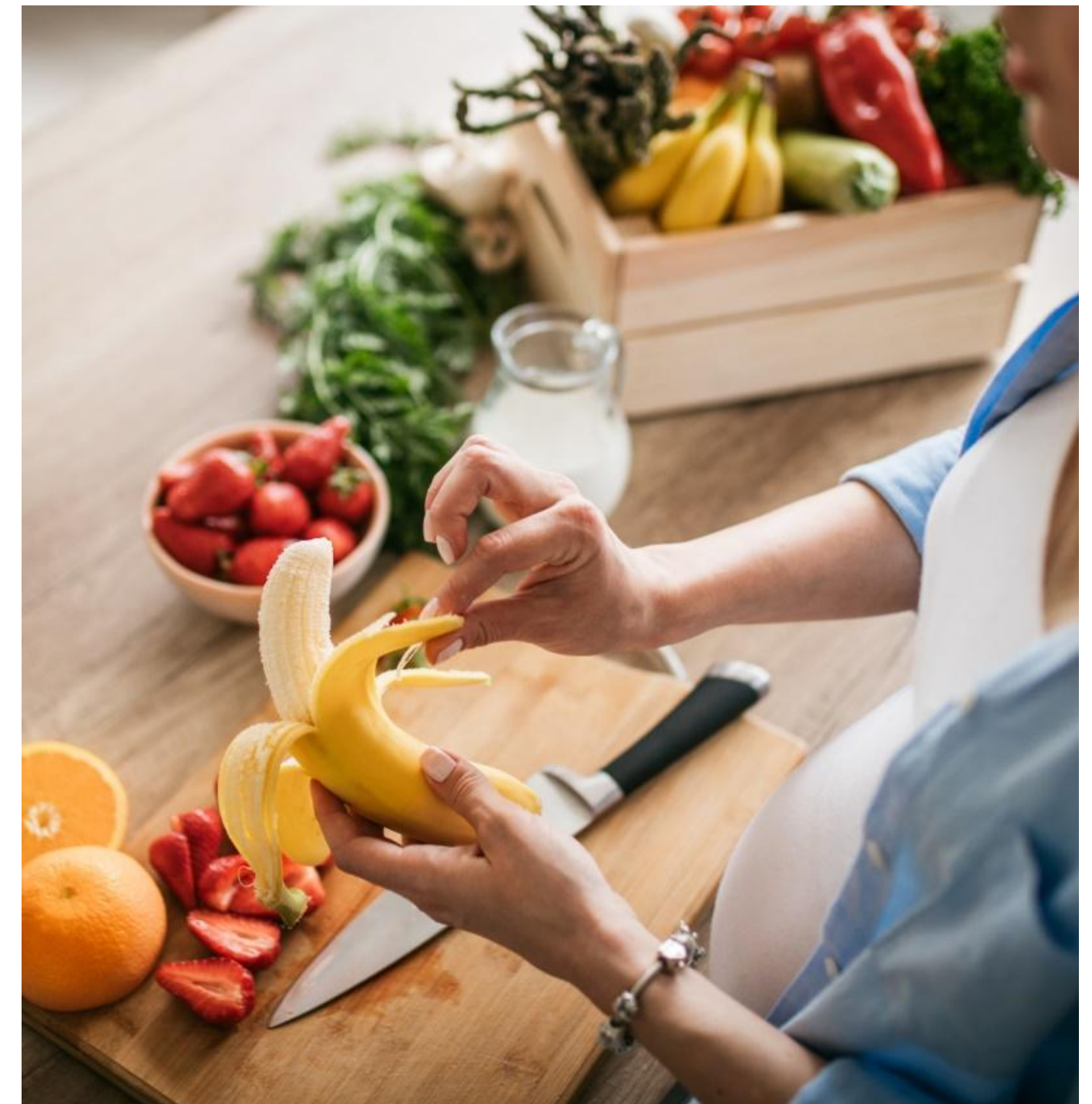
Reformulations Considerations

Less dyes, additives, emulsifiers

Less sugar

Less sodium

Non-nutritive sweeteners
considered additives



Dairy & MAHA: Opportunities and UPF Concerns

Dairy — at all fat levels — celebrated as a whole food, and where UPF scrutiny creates risk

✓ Opportunities

- **Dietary Guidelines:** Position natural dairy's whole-food credentials at all fat levels in updated federal guidance.
- **Federal Programs:** Likely to expand whole-fat dairy options in WIC, CACFP & school meals when new guidelines are released.
- **Educational Campaigns:** Include dairy at all fat levels and as a whole food. Expand dairy ag literacy.
- **Food as Medicine:** Opportunity to expand dairy options, including fermented, in prescriptions and medically tailored meals

⚠ UPF Concerns

- **Classification Risk:** Flavored milks & sweetened yogurts may fall under stricter UPF definitions
- **Processed Products:** Processed cheese & dairy-based snacks risk inclusion in UPF targets
- **Perception Gap:** Plant-based analogs are often more processed yet marketed as 'healthier' and exempt in CA bill.
- **Overbroad Rules:** School meal limits may inadvertently restrict dairy foods



Thank you!



Scan to visit Dairy Council of CA's website

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ABOUT DAIRY INSTITUTE OF CALIFORNIA

Who We Are

- Formed in 1939, Dairy Institute is a non-profit trade association representing milk processors and dairy product manufacturers on legislative and regulatory matters at the state and federal levels.

Member Services We Provide

- Legislative Representation
- Regulatory Representation
- Legal Representation
- Dairy Institute of California PAC
- Industry Forum
- Information and Education
- Industry Liaison
- Individual Member Services



- **MAHA SNAP – CalFresh Legislation**
- MAHA reforms to the SNAP program by shifting the focus from simply providing food access to ensuring nutritional quality.
- State-requested waivers to limit the purchase of “junk food” with SNAP must be approved by the USDA.
- **AB 2171 (Patterson) CalFresh: Sweetened Drinks and Candy**
 - Federal waiver to prohibit the purchase of sweetened drinks and candy
 - Milk or milk products excluded from sweetened drink definition
- **SB 1134 (Strickland) CalFresh: Soda, Candy, Ice Cream and UPFs**
 - Federal waiver to prohibit the purchase of sodas, candy and pre-packaged desserts
 - Milk and dairy-based drinks are excluded from soda definition
 - Federal waiver to prohibit the purchase of ultraprocessed food of concern (AB 1264)



CA LEGISLATION 2026

- **AB 2034 (Addis) Unsafe Food Additives & Ingredient Disclosures**

- **Deemed unsafe**

- Deems a food additive or dietary ingredient unsafe unless it meets specified conditions, including licensing requirements or has successfully gone through FDA's GRAS Notification Program.

- **Complex New Review and Licensing Program**

- State-Level Oversight of Federal Generally Recognized As Safe Program
- Beginning July 1, 2027, manufacturers using a food additive or dietary ingredient must submit a notice to the California Department of Public Health (CDPH) that includes the same information required for a specified federal notice. CDPH is tasked with verifying the information and publishing a notice in a public database.

- **Unmasking Mandate**

- By July 1, 2027, manufacturers of any packaged food product that is sold in California must provide CDPH with a complete and accurate list of its food products sold in the state and do not individually list each of the product's ingredients in the ingredient list on the product's label.

- **Continuation of California Food Safety Regulation**

- This bill follows a recent trend in California of the state setting its own food safety standards that are more stringent than federal FDA requirements.
 - AB 418 "California Food Safety Act" banned Red Dye No. 3 and other chemicals
 - AB 1264: Ultra Processed Food: Public Schools



CA LEGISLATION 2026

- **Heavy Metals Testing Legislation**
- Previously enacted legislation:
 - 2023- AB 899 Heavy Metals Testing: Baby Food (excludes infant formula)
 - 2025- SB 646 Heavy Metals Testing: Prenatal Vitamins
- **2026- AB 2302 (Rodriguez) Heavy Metals Testing: Infant Formula**
 - Applies to final infant formula products. The definition of final infant formula product excludes constituent ingredients of an infant formula.
 - Mandatory Heavy Metal Testing: Aluminum, Arsenic, Cadmium, Lead and Mercury
 - Testing Frequency: Testing must be conducted by a "proficient laboratory" at least once per month.
- **2026- SB 1033 (Padilla) Heavy Metals Testing: Protein Products**
 - Applies to manufacturer of bulk protein product or a package protein product for sale or distribution to the public. (protein powders and beverages)
 - Excludes constituent ingredients
 - Mandatory Heavy Metal Testing: Arsenic, Cadmium, Lead and Mercury
 - Testing Frequency: Conducted on a lot-by-lot basis.



CA LEGISLATION 2026

- **Ultra Processed Food Legislation**
- **Previously enacted legislation:**
 - 2025- AB 1264: UPF Restricted School Food
- **2026- AB 2244 (Gabriel) Non-UPF Certification**
 - Creates a new voluntary state-certified seal for Non-UPF products
 - Qualifying products must not be classified as a UPF, a UPF of concern, or a restricted school food under AB 1264
 - USDA Commodity Food
 - Raw agricultural product
 - Unprocessed locally grown product
 - Minimally processed prepared product
 - CA Class 1 Milk
 - Medical Food and Infant Formula (only if exempted by CDPH)
 - Requires the California Department of Public Health (CDPH) by June 1, 2028, to accredit third-party agents to certify food products as “California Certified” and prohibits certification of products that are defined as ultra-processed or restricted school foods.
 - Retailers with gross annual store sales of \$10M+ must make clearly identifiable at least 3 or more certified items if the retailer offers for sale more than 25 certified items.



CA LEGISLATION 2026

A collage of dairy products including milk, cheese, and yogurt. In the background, there's a glass pitcher of milk and a wedge of blue cheese. In the foreground, there's a bowl of ricotta cheese, a small dish of shredded cheese, and a cup of yogurt. The items are arranged on a wooden surface.

CA REGULATIONS

- **CDPH: AB 1264 UPF Restricted School Food Rulemaking**
 - July-December 2026: Preliminary Rulemaking
 - January-June 2027: Rulemaking
 - July-December 2027: Finalize regulations and submit regulation to OAL
 - January-June 2028: Final regulations comply with APA
 - June 1, 2028: Statutory deadline
- **CDFA: AB 660 Date Labeling**
 - July 1, 2026, Effective Date
 - Quality Dates:
 - “Best if Used by” or Best if Used or Frozen by” to indicate freshness or quality of a food item.
 - Safety Dates:
 - “Use by” or “USE by or Freeze by” to indicate the safety dates of the food item.
 - “UB” is the food item that is too small for the full term.
 - Prohibited: “Sell by” dates on consumer-facing products.

Please Stay In Touch

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Connect with Dairy Institute LinkedIn



THANK YOU

