STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
DF-46 (REV 03/25)

Fiscal Year	Business Unit Number	Department
2025-2026	4265	California Department of Public Health

Hyperion Budget Request Name	Relevant Program or Subprogram
4265-123-BCP-2025-GB	4045059 – Environmental Health

Budget Request Title
Prenatal Multivitamins (SB 646)

Budget Request Summary
The California Department of Public Health requests 1 position and $173,000 General Fund in 2026-27 and ongoing to implement the new provisions required by Senate Bill 646 (Chapter 602, Statutes of 2025) to conduct inspection work, compliance and enforcement activities, and engage with stakeholders and industry regarding technical questions.

Requires Legislation (submit required legislation with the BCP)	Code Section(s) to be Added/Amended/Repealed
☐ Trailer Bill Language ☐ Budget Bill Language ☒ N/A	N/A

Does this BCP contain information technology (IT) components? ☐ Yes ☒ No *If yes, departmental Chief Information Officer must sign.*	Department CIO	Date
	N/A	N/A

For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), the approval date, and the total project cost.

Project No. N/A **Approval Date:** N/A

Project Approval Document: N/A **Total Project Cost:** N/A

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By	Date	Reviewed By	Date
June Weintraub	10/13/2025	Phuong La	10/16/2025
Department Director	**Date**	**Agency Secretary**	**Date**
Rita Nguyen	10/17/2025	Julie Souliere	10/22/2025

Department of Finance Use Only

Additional Review: ☐ Capital Outlay ☐ ITCU ☐ FSCU ☐ OSAE ☐ Dept. of Technology

Principal Program Budget Analyst	Date submitted to the Legislature
Nina Hoang	1/9/2026

A. Problem Statement

Starting January 1, 2027, Senate Bill (SB) 646 (Chapter 602, Statutes of 2025), requires manufacturers and brand owners of prenatal vitamins to test their products as defined in this bill, for heavy metals; arsenic, cadmium, lead, and mercury. Manufacturers must make testing results publicly available on the brand owner's website and provide a hyperlink to the U.S. Food and Drug Administration's (FDA) latest information related to heavy metals. Prenatal multivitamins are vital for the health of pregnant individuals. However, recent studies have found that some prenatal multivitamins had elevated levels of arsenic, cadmium, lead, and mercury which can pose serious health risks such as hypertension, kidney dysfunction, and anemia. Currently, there are no federal regulations requiring manufacturers to test for or disclose the presence of these heavy metals in prenatal multivitamins. This lack of oversight leaves consumers without the information needed to make safe and informed choices. SB 646 addresses these issues by requiring manufacturers to test for and publicly disclosure the heavy metal content in their products. SB 646 protects consumers from exposure to heavy metals in both imported and California manufactured prenatal multivitamins.

The Sherman Food, Drug, and Cosmetic Law authorizes the California Department of Public Health (CDPH) to license and regulate the manufacturing and labeling of food and dietary supplements in California. CDPH's Food and Drug Branch (FDB) enforces state and federal requirements that foods, cosmetics, drugs, and medical devices are safe, properly labeled, and effective. CDPH conducts inspections, investigates complaints, and enforces compliance through recalls and embargoes. CDPH also collaborates with the FDA to uphold federal standards and good manufacturing practices.

Previous legislation, Assembly Bill (AB) 899 (Muratsuchi, Chapter 688, Statutes of 2023), addressed the food safety of baby food by requiring manufacturers to test for and disclose the levels of toxic elements like arsenic, cadmium, lead, and mercury present in baby food.

To support compliance of SB 646 provisions, CDPH requires 1 additional position and funding. Without these resources, manufacturers may not comply with the testing and disclosure requirements outlined in the bill. Heavy metals like arsenic, cadmium, lead, and mercury could remain undetected in prenatal multivitamins, posing serious health risks to pregnant individuals and their developing fetuses.

B. Justification

SB 646 requires CDPH to perform new license and renewal inspections, re-inspections, field audits and checks, compliance activities (e.g., Notice of Violations, embargoes), records reviews, label reviews, and field visits to California firms that hold prenatal multivitamins manufactured in California, out-of-state, and from other countries. These actions are necessary to confirm that all prenatal multivitamin products are safe for consumption and to encourage better product safety practices by manufacturers.

CDPH requests annual expenditure authority of $173,000 beginning 2026-27 to fund the following:

- 1 Environmental Scientist (ES): Perform new license and renewal inspections, re-inspections, field audits or checks, compliance activities (e.g., Notice of Violations, embargoes), records reviews, label reviews, and field visits to California firms that will be holding prenatal multivitamins manufactured in California, out-of-state, and from other countries.

- Additionally, a leased vehicle is required to enable the ES to conduct field inspections and to adequately enforce the provisions of SB 646.

This additional position is needed to conduct inspection work, compliance, enforcement activities, and engage with stakeholder groups and industry regarding technical questions.

C. Departmentwide and Statewide Considerations

This proposal aligns with CDPH's 2025 Strategic Map, including the mission to advance the health and well-being of California's diverse populations through prevention, education, and equitable access to care.

SB 646 supports CDPH's role as a regulatory and public health authority by allowing the Department to take action against unsafe or mislabeled products. SB 646 also expands on CDPH's enforcement of AB 899, which requires similar testing for baby food, and reinforces the Department's commitment to consumer safety and transparency.

SB 646 also supports CDPH's strategic goal of becoming a learning and impactful organization by aligning with FDA testing standards and International Organization for Standardization/International Electrotechnical Commission 17025:2017 laboratory protocols and ensuring that California remains at the forefront of evidence-based public health regulation.

SB 646 contributes to the statewide goal of reducing toxic element exposure by requiring prenatal multivitamin manufacturers to test for harmful metals and disclosing the results, which promotes transparency, enhances public trust in health products and provides vital information so that consumers can make informed decisions and avoid contaminated prenatal multivitamin products. SB 646 aligns with California's commitment to advancing public health policy and protecting vulnerable populations through proactive, equity-driven legislation.

D. Outcomes and Accountability

CDPH will be able to enforce SB 646 by conducting inspections and audits that will verify compliance with the new heavy metal testing and disclosure requirements for prenatal multivitamins. This will support improved maternal and fetal health outcomes by reducing exposure to harmful contaminants and empowering consumers with transparent product information. Additionally, as industry comes into compliance with the provisions of SB 646, the anticipated outcome is a decrease in heavy metal exposure due to product information that will be available to consumers, which will reduce the number of complaints to investigate.

Projected Outcomes

Workload Measure	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31
Conduct inspections and enforce compliance; conduct re-inspections; pursue enforcement and corrective actions	N/A	30	50	50	50	50
Inquiries, complaints, requests for technical assistance, development of educational materials	25	50	65	65	60	50

E. Implementation Plan

SB 646 would go into effect on January 1, 2027.

Estimated Dates	Activity
June 2026 – January 2027	• Document inquiries regarding SB 646 using standard FDB processes. Contact individuals to provide quality customer service, inform members of the public about the effective date of Jan 1, 2027, and provide technical assistance and guidance to industry partners.

	• Update the licensing database to promote accurate inventory and compliance tracking of prenatal supplement processing facilities.
July 2026 – December 2026	• Initiate, advertise, and complete hiring process for Environmental Scientist. • Onboard the one newly hired staff.
January 2027 and ongoing	• Continue working with the industry and stakeholders on compliance and technical issues, generate educational materials, and answer questions. • Prepare guidance, policy, training and planning related to these inspections. • Begin conducting inspections and re-inspections, field audits or checks, compliance activities (e.g., Notice of Violations, embargoes), records reviews, label reviews, and field visits to California firms that will hold prenatal multivitamins manufactured in California, out-of-state, and from other countries. • Confirm that firms subject to SB 646 adhere to the applicable food safety laws and regulations and comply with SB 646 requirements. • Respond to and investigate complaints associated with SB 646 per current FDB procedures. • Review complaints and inquiries, and update publicly posted material regarding SB 646. • Confirm that firms adhere to the food safety laws and regulations and comply with the new requirements.

F. Supplemental Information

Attachment A: BCP Fiscal Detail Sheet

Attachment B: Workload Analysis

Attachment C: Current Organizational Chart

Attachment D: Proposed Organizational Chart

BCP Fiscal Detail Sheet

(Dollars in Thousands)

BCP Title: Prenatal Multivitamins (SB 646)

BR Name: 4265-123-BCP-2026-GB

Budget Request Summary

Personal Services

Personal Services	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
Positions - Permanent	0.0	1.0	1.0	1.0	1.0	1.0
Total Positions	**0.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**
Earnings - Permanent	0	79	79	79	79	79
Total Salaries and Wages	**$0**	**$79**	**$79**	**$79**	**$79**	**$79**
Total Staff Benefits	0	46	46	46	46	46
Total Personal Services	**$0**	**$125**	**$125**	**$125**	**$125**	**$125**

Operating Expenses and Equipment

Operating Expenses and Equipment	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
5301 - General Expense	0	6	6	6	6	6
5302 - Printing	0	2	2	2	2	2
5320 - Travel: In-State	0	13	13	13	13	13
5322 - Training	0	1	1	1	1	1
5342 - Departmental Services	0	14	14	14	14	14
539X - Other	0	12	12	12	12	12
Total Operating Expenses and Equipment	**$0**	**$48**	**$48**	**$48**	**$48**	**$48**

Total Budget Request

Total Budget Request	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
Total Budget Request	**$0**	**$173**	**$173**	**$173**	**$173**	**$173**

Fund Summary

Fund Source

Fund Source	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
State Operations - 0001 - General Fund	0	173	173	173	173	173
Total State Operations Expenditures	**$0**	**$173**	**$173**	**$173**	**$173**	**$173**
Total All Funds	**$0**	**$173**	**$173**	**$173**	**$173**	**$173**

Program Summary

Program Funding

Program Funding	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
4045059 - Environmental Health	0	173	173	173	173	173
Total All Programs	**$0**	**$173**	**$173**	**$173**	**$173**	**$173**

Personal Services Details

Positions

Positions	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
0762 - Environmental Scientist	0.0	1.0	1.0	1.0	1.0	1.0
Total Positions	**0.0**	**1.0**	**1.0**	**1.0**	**1.0**	**1.0**

Salaries and Wages

Salaries and Wages	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
0762 - Environmental Scientist	0	79	79	79	79	79
Total Salaries and Wages	**$0**	**$79**	**$79**	**$79**	**$79**	**$79**

Staff Benefits

Staff Benefits	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
5150900 - Staff Benefits - Other	0	46	46	46	46	46
Total Staff Benefits	**$0**	**$46**	**$46**	**$46**	**$46**	**$46**

Total Personal Services

Total Personal Services	FY26 Current Year	FY26 Budget Year	FY26 BY+1	FY26 BY+2	FY26 BY+3	FY26 BY+4
Total Personal Services	**$0**	**$125**	**$125**	**$125**	**$125**	**$125**

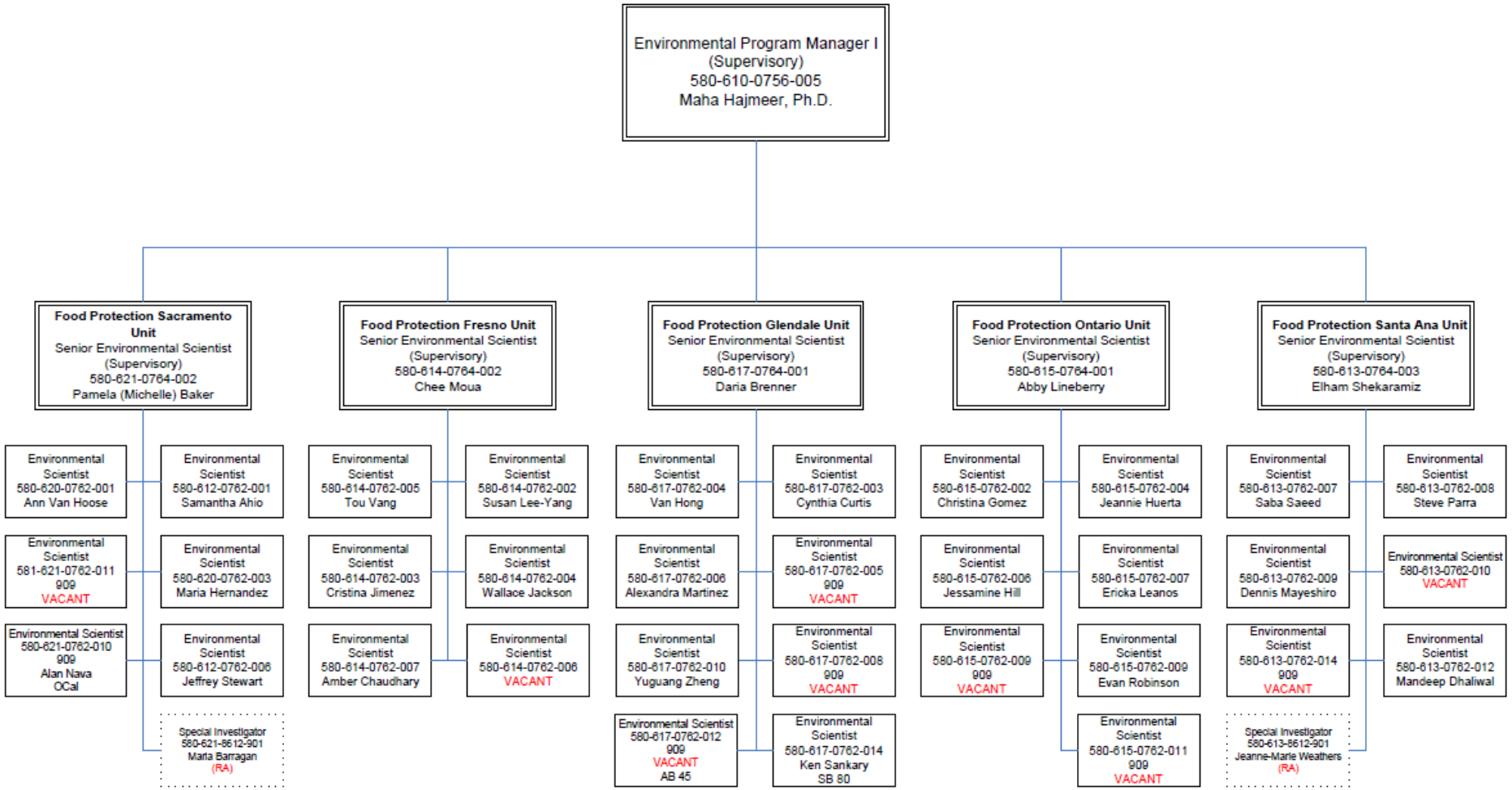
California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch, Food Safety Protection Section
Environmental Scientist
1.0 Position

Activity	Number of Items	Hours per Item	Total Annual Hours
Conduct inspections and re-inspections of firms engaged in the manufacturing, holding, and distribution of prenatal multivitamin products to promote compliance with food safety laws and the new requirements established under SB 646. This includes verifying adherence to heavy metal testing protocols, reviewing labeling and packaging for required disclosures, and ensuring public access to product testing information in accordance with the bill's labeling and transparency standards.	50	25	1250
Evaluate the effectiveness of food safety control measures and systems implemented by firms involved in the production, packaging, holding, and distribution of prenatal multivitamin products. This includes assessing firm compliance with SB 646 requirements such as validated heavy metal testing, proper disclosure of test results, and updated labeling practices. Confirm that corrective actions taken by firms address identified deficiencies.	30	6	180
Plan inspections and re-inspections of firms involved in the manufacturing, packaging, holding, and distribution of prenatal multivitamin products, with an emphasis on those responsible for product labeling. Identify firms requiring inspection based on risk factors and potential noncompliance with SB 646, including adherence to required heavy metal testing and public disclosure of product information. Verify inspection planning supports enforcement of new labeling and transparency standards established under the bill.	55	2	110
Process paperwork generated from the manufacturing inspections and re-inspections including writing and submitting reports, embargoes, and Notices of Violations.	65	3	195
Process and secure evidence, as needed and including labels, in compliance with the program's procedures. Verify proper chain of custody is being maintained. Deliver evidence to the district supervisor.	30	1	30
Provide regulatory guidance and respond to inquiries from industry stakeholders to facilitate understanding of SB 646, assist with resolving compliance challenges, and address complaints related to product safety or labeling.	35	1	35
Total hours for workload projected for this classification			**1,800**
1,800 hours = 1 Position			
Actual number of Positions requested			**1.0**

CDPH

California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Food Safety Protection Section

CURRENT



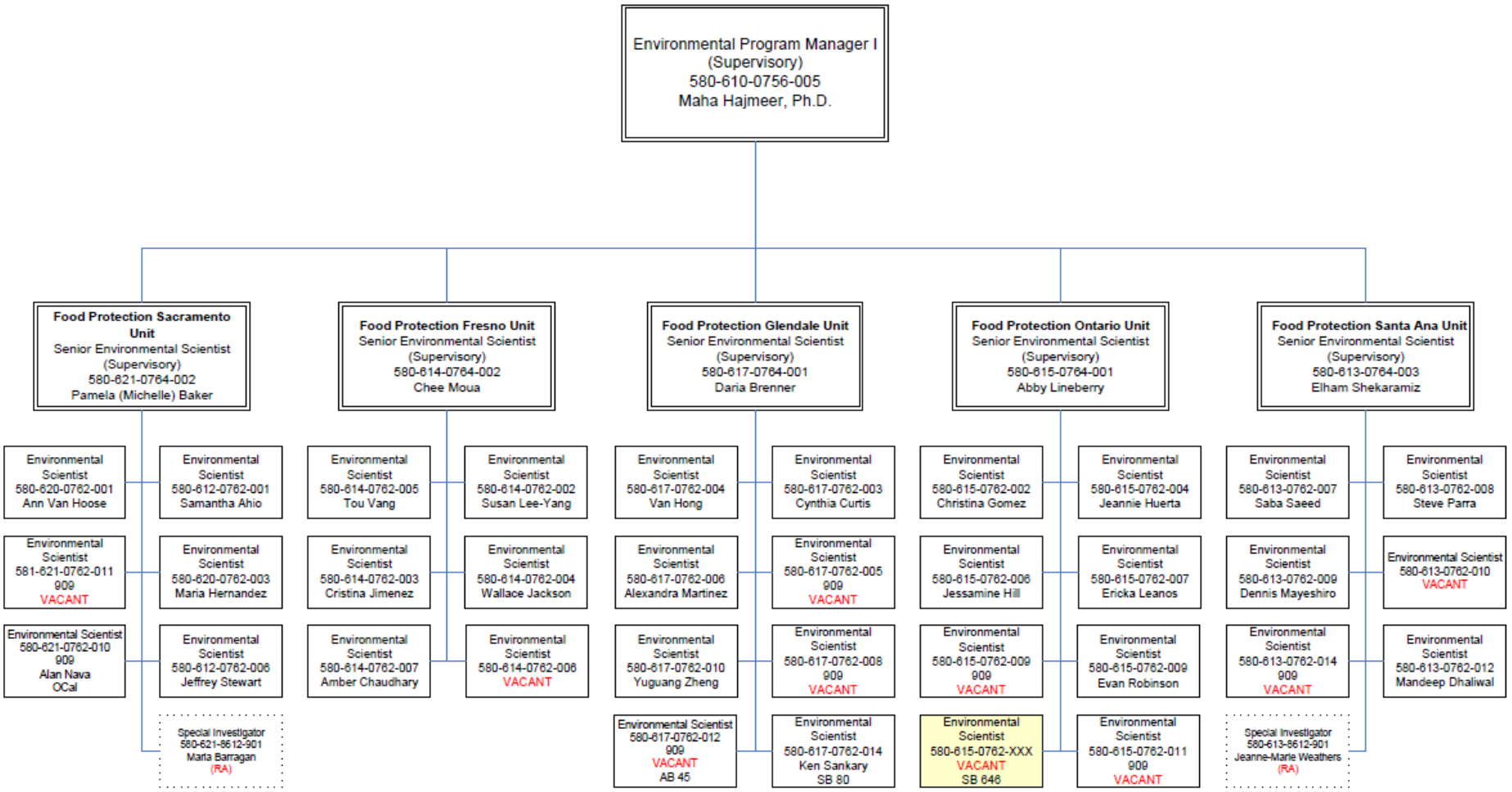
October 2025

Benson Yee, Chief
Food & Drug Branch

CDPH

California Department of Public Health
Center for Environmental Health
Division of Food and Drug Safety
Food and Drug Branch
Food Safety Protection Section

PROPOSED



October 2025

Benson Yee, Chief
Food & Drug Branch