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Director and State Public Health Officer

**Gavin Newsom**  
Governor

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**Announcing New California Cannery Emergency Regulations  
and Significant Changes to Current Cannery Inspection Program Requirements**

Dear Cannery Facility Licensee or Stakeholder,

The California Department of Public Health (Department), Food and Drug Branch (FDB) has conducted a thorough review of the Cannery Inspection Program's mandatory batch release requirements established by law in 1925. As a result, the Department initiated the rulemaking process to amend the California Code of Regulations (CCR) to remove the requirement for batch releases for all acidified foods (AF) and low-acid foods (LAF) manufactured and packed in California.

On January 1, 2026, revisions to Title 17 CCR Division 1, Chapter 5, Subchapter 2, Group 1, Article 8 Cannery Inspection Regulations will be implemented, and California Canners shall:

- No longer be required to schedule batch releases with, or receive authorization from the Department prior to the release of each lot or batch of AF and LAF products into commerce;
- Be allowed to transfer and store AF and LAF products at a separate location provided they are duly registered with, and maintain a valid license from the Department, or transfer and store AF and LAF products out-of-state prior to entering distribution; and
- Be allowed to utilize electronic records provided they are in compliance with Title 21 Code of Federal Regulations Part 11.

The amendments to the CCR do not change the Department's authority to quarantine AF and LAF products pursuant to State of California Health and Safety Code (H&SC), Section 112810, and establishes the responsibility of Canners with the requirements as follows:

- Identify, document, and report to the Department in writing any instance of spoilage, process deviation, or contamination with microorganisms, and
- Segregate and hold affected AF and LAF products for the evaluation of the Department as to the disposition thereof.

The Department continues to regulate all AF and LAF products manufactured and packed within California. California Cannerys must maintain compliance with all pertinent State and Federal laws and regulations, including but not limited to:

- Maintain a valid Cannery license issued by the Department.
- Payment of the pro rata share of the cost of inspection and laboratory control as determined by the Cannery Inspection Board and approved by the Department.
- Obtain Official State Process Letters and Operational Documents from the Department identifying the critical factors and recommended scheduled processes for each AF and LAF product manufactured or packed.
- Obtain Retort Operator Permits from the Department pursuant to H&SC, Section 112800.
- Maintain responsibility for achieving commercial sterility for all AF and LAF products manufactured or packed.
- Establish and maintain records of operations showing adherence to or deviations from the scheduled processes identified in Official State Process Letters and Operational Documents.

These Cannery Emergency Regulations for AF and LAF products more closely aligns California with Federal standards and ensures increased transparency by requiring firm notification to the Department for any instance of spoilage, process deviation, or contamination with microorganisms. These regulations also provide a regulatory framework for the Department to more efficiently regulate non-compliant cannerys.

The Department remains committed to protecting public health by ensuring that all AF and LAF products remain safe with continual advancements in food science and technology. The Department looks forward to supporting the Cannery industry in meeting these new standards. If you have questions about this notification, please visit the [Cannery Inspection and Licensing Program webpage](#) where the newly amended regulations will be available by January 1, 2026. If you have any questions, please contact FDB Cannery Program Specialist, Anthony Garcia, at [Anthony.Garcia@cdph.ca.gov](mailto:Anthony.Garcia@cdph.ca.gov).

Sincerely,



Benson Yee, Chief  
Food and Drug Branch  
California Department of Public Health