



## News Release

June 10, 2010. For immediate release.

No calls, please: complete information can be found in the links on this page.

### ***Lead Found in Children's Foods and Baby Foods; Legal Notices Sent to Law Enforcement***

On June 9, 2010 the Environmental Law Foundation (“ELF”) filed Notices of Violation of California Proposition 65 Toxics Right to Know law, alleging the toxic chemical lead was found in a variety of children’s and baby foods. The specific food categories included ***apple juice, grape juice, packaged pears and peaches (including baby food), and fruit cocktail.*** A complete list of the companies and products named appears with the notice and is located on the ELF website.

The notices claim that the children’s foods contain enough lead in a single serving that they require a warning under California’s Safe Drinking Water and Toxic Enforcement Act of 1986 (aka “Proposition 65” or “Prop 65”). Toxicologist Barbara G. Callahan, PhD, DABT, of the University of Massachusetts Amherst, who has spent two decades performing public health and environmental risk assessments, called the lead concentrations in the ELF test results “alarming.”

Under Prop 65, the Governor publishes a list of chemicals “known to the State to cause cancer or reproductive harm.” Lead is listed as both and was among the first chemicals listed in 1987. If any consumer product contains a listed chemical at a level that presents a “significant risk” the manufacturer and retailer must give a “clear and reasonable warning” about the exposure.

ELF pinpointed categories of food and beverages for testing by examining publicly available government-sponsored testing and published studies—focusing on food product categories that children like and eat often and which the data showed had widespread presence of lead. ELF collected and tested as many brands in each category as it could locate in California.

Scientists agree that there is no safe level of exposure to lead. Lead accumulates in the body from multiple exposures over time and from multiple sources. According to Dr. Callahan, “Lead exposure among children is a particular concern because their developing bodies absorb lead at a higher rate and because children are particularly sensitive to lead’s toxic effects, including decreased I.Q.” Lead exposure also represents a heightened risk among pregnant and nursing women because lead passes from the mother to the developing fetus or infant. “Lead already stored in the mother’s bone tissue is mobilized along with calcium,” explains Dr. Callahan, “and additional lead exposure to the mother can further compromise the health of the most vulnerable among us.”

Lead has been and continues to be released into the environment from decades of lead-based pesticide application, use of leaded gasoline and lead paint, and burning of coal in power plants. The lead in the environment then can make its way into the food supply. But not every category or even foods within categories contains lead. There are things that consumers can do if they are concerned about their families’ exposure to lead.

- o Make informed choices.

- o Demand information before you buy.
- o Advocate for cleaner food and more comprehensive environmental health policies.

Information on this website can help consumers make informed choices for their families.

ELF's Notices were sent to law enforcement officials, including the California Attorney General and 58 county District Attorneys, and to the affected manufacturers, retailers and distributors, notifying them that particular food products frequently consumed by children contain lead at levels high enough to require a warning under Proposition 65. These notices start a clock for the companies to bring themselves into compliance with Proposition 65 by either (a) reducing or eliminating the lead or (b) placing "clear and reasonable warnings" on the food packages. If, at the end of 60 days, no law enforcement agency is prosecuting the violation, ELF will file suit to enforce the law.

The notices were based on testing performed on 398 samples of 146 different branded products in the five categories. Samples were purchased throughout California. A list of all products tested and whether they did or did not exceed Prop 65's warning threshold is also found on ELF's website.

"ELF has fought to protect families from lead exposures for two decades," said Jim Wheaton, President of the Environmental Law Foundation. "We know the risk these exposures pose for children, and we know that our efforts can help keep children safer."

More information about lead and Prop 65 can be found in a Frequently Asked Questions document, also on ELF's website.

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