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New Report Shows Popular Potato Chips Have High Levels of Cancer-Causing Toxin

Public Health Lawyers Announce Intent to Sue Manufacturers under Prop 65 As administration considers proposal to weaken Prop 65 and conceal health risk to public, test results prove some chips have unsafe levels of carcinogen

SACRAMENTO, June 16th — Today public health and environmental lawyers released a report, “How Potato Chips Stack Up: Levels of Cancer-Causing Acrylamide in Popular Brands of Potato Chips”, showing many popular potato chip brands, including Lay’s and Pringles, have remarkably high levels of a cancer-causing toxin. The Environmental Law Foundation, Rose, Klein & Marias, LLP, and Law Office of Gideon Kracov also filed notices with the Attorney General and other law enforcement officials that manufacturers who sell these brands without warnings are violating California’s Proposition 65.

“Our test results show that single servings of popular potato chips have acrylamide levels hundreds of times what Prop 65 allows and what the World Health Organization consider safe in a single glass of water,” said James Wheaton, president of the Environmental Law Foundation. “These corporations are violating California law and the will of California voters by not warning the public about cancer risks from their products. Every parent deserves the right to know whether the food their children are eating will put them at risk for cancer.”

The chemical – acrylamide – has been on the governor’s list of chemicals known to cause cancer since 1990. It is an industrial chemical used in sewage treatment, plastics and pesticides, but also occurs when starchy foods are highly heat processed. Proposition 65 requires that all companies warn Californians about cancer causing chemicals in food.

As they released the test results of popular potato chips, the lawyers filed Proposition 65 notices with the corporations who sell the brands now known to contain unsafe levels of acrylamide, including PepsiCo. for the Lay’s brand, Proctor & Gamble for Pringles, Kettle Foods Inc. for Kettle Chips and Lance Inc. for Cape Cod chips.

“When Californians overwhelmingly voted for Prop 65, they sent a loud, clear message to both politicians and corporations that they wanted to know what products put them at risk for cancer,” said Christopher P. Ridout of the law firm Rose, Klein & Marias, LLP. “The people of California created this law so parents could know what’s in the food they feed their children and we expect corporations to follow that law.”

Swedish scientists discovered acrylamide in some foods in 2002. The World Health Organization has said acrylamide may be responsible for the 1/3 of all cancers believed to arise from dietary sources. The US Food and Drug Administration (FDA) has also tested foods and shown that acrylamide is present in many foods, but is particularly high in items such as potato chips and French fries. The analytical data released today show that some potato chip levels are much higher than levels found by FDA and suggest that potato chips pose a greater risk than is currently known.

The test results and legal notices come as the food industry is pressuring the Schwarzenegger administration to adopt a controversial exemption that would conceal from the public the presence of any level of acrylamide in all cooked food, including junk food. If the administration bows to industry pressure, public health advocates say Schwarzenegger will be weakening Proposition 65 and breaking its promise that Californians will be warned when a product poses a cancer risk. The administration is expected to make a final decision about whether to warn Californians or conceal the truth by August 2005.

The report released today also stresses that high levels of acrylamide in potato chips are not inevitable, that manufacturers can rather easily lower levels by changing their manufacturing practices.

"We want to ensure that these manufacturers do the right thing by notifying the public of health risks and working to lower the level of this toxin in their products," said Gideon Kracov of the Law Office of Gideon Kracov.

The following products were tested and mean acrylamide concentrations for each product are reported below:

Products Tested	Manufacturer	Mean Concentration ppb (ug/kg)	Serving Size 1 ounce = 28 grams	Number of Chips per Serving	Acrylamide Ingestion (ug/day) When Consumption is 1 oz./day	Number of Times Product Exceeds Current Prop 65 Warning Requirement*	Number of Times Amount in 1 oz. of Product Exceeds Amount Considered Safe by WHO in 8 oz. Glass of Drinking Water**
Cape Cod Robust Russet	CAPE COD Chips, a subsidiary of Lance, Inc.	6503	1 ounce	~ 19 chips	182	910	1517
Kettle Chips Lightly Salted	Kettle Foods, Inc.	3600	1 ounce	~17 chips	101	505	840
Kettle Chips Honey Dijon	Kettle Foods, Inc.	3540	1 ounce	~ 17 chips	99	495	826
Pringles Snack Stacks (Pizzalicious flavor)	Procter & Gamble Co.	1221	1 tub = 23 g	~ 13 crisps	34	170	285
Lay's Baked!	Frito-Lay, Inc., a subsidiary of PepsiCo, Inc.	1071	1 ounce	~ 11 crisps	30	150	250
Lay's Stax BBQ	Frito-Lay, Inc., a subsidiary of PepsiCo, Inc.	949	1 ounce	~ 13 crisps	27	135	221
Pringles Snack Stacks (Original flavor)	Procter & Gamble Co.	794	1 tub = 23 g	~ 13 crisps	22	110	185
Lay's Baked! KC Masterpiece	Frito-Lay, Inc., a subsidiary of PepsiCo, Inc.	684	1 ounce	~ 11 crisps	19	95	160
Pringles Sweet Mesquite BBQ	Procter & Gamble Co.	678	1 ounce	~ 14 crisps	19	95	158
Lay's Natural Country BBQ	Frito-Lay, Inc., a subsidiary of PepsiCo, Inc.	434	1 ounce	~ 14 chips	12	60	101
Cape Cod Classic Chips	CAPE COD Chips, a subsidiary of Lance, Inc.	320	1 ounce	~ 19 chips	9	45	75
Lay's Light KC Masterpiece BBQ	Frito-Lay, Inc., a subsidiary of PepsiCo, Inc.	276	1 ounce	~ 20 chips	7.7	38.5	64

* The current level at which a Proposition 65 warning is required is 0.2 ug/day. There is a pending proposal to change that level to 1.0 ug/day. The current figure is used in this table.

** The World Health Organization (WHO) Guideline for Acrylamide in Drinking Water is 0.5 ug/Liter. http://www.who.int/foodsafety/publications/chem/acrylamide_fags/en/index3.html

To see the full report, contact Keli Goff at 212-584-5000.

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