

**FOR IMMEDIATE RELEASE**

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## **DELAURO, PALLONE CALL FOR FEDERAL LIMITS ON DANGEROUS METALS IN FOODS, BEVERAGES**

**Washington, DC**— Representatives Rosa DeLauro (CT-3), Ranking Member on the Labor, Health, and Human Services Appropriations Subcommittee, and Frank Pallone, Jr. (NJ-6) called on FDA Commissioner Margaret Hamburg to set standards for the maximum allowable levels of dangerous heavy metals, including arsenic, in foods and beverages.

Currently, the only limits on the maximum allowable levels of these toxins are for bottled water. But several recent studies have shown alarmingly high levels of arsenic in both apple juice and organic brown rice syrup, which is used in products including infant formula. Reps. DeLauro and Pallone have introduced legislation, H.R. 3984, the Arsenic Prevention and Protection from Lead Exposure in Juice Act of 2012, which seeks to limit the amount of arsenic Americans are exposed to in beverages containing fruit juice.

“We write today to strongly urge you to implement enforceable standards for the maximum allowable levels of heavy metals, including arsenic, in foods and beverages regulated by the Food and Drug Administration (FDA) as soon as possible. Setting a standard for this known carcinogen is sensible given that food is a main exposure to arsenic for many people, including children.” The letter continues, “We strongly support the intent of this piece of legislation and hope to work with you to protect the public health from juice beverages that contain unsafe levels of arsenic and lead. Given that bill and the recent research on the threat that arsenic in fruit juices and food products pose, we urge you to implement maximum standards for all food products, including juices and infant formula, in a timely manner.”

The text of the letter is below.

February 22, 2012

Margaret Hamburg, M.D.

Commissioner

U.S. Food and Drug Administration

U.S. Department of Health and Human Services  
10903 New Hampshire Ave  
Silver Spring, MD 20993-0002

Dear Commissioner Hamburg:

We write today to strongly urge you to implement enforceable standards for the maximum allowable levels of heavy metals, including arsenic, in foods and beverages regulated by the Food and Drug Administration (FDA) as soon as possible. Setting a standard for this known carcinogen is sensible given that food is a main exposure to arsenic for many people, including children.

Currently, the FDA only has a standard for maximum allowable levels of arsenic in bottled water. There are no regulations for this toxin in other food products, including juices or infant formula, though China has a standard for arsenic in food. A recent study published in *Environmental Health Perspectives* noted that the food products sampled "may introduce significant concentrations of [inorganic arsenic] to an individual's diet" – this includes infant milk formula and cereal bars.

It is also worth highlighting that the risk associated with arsenic for infants and children compared to adults (i.e. per kilogram of body weight) should be considered as the agency contemplates maximum allowable levels of arsenic in food products. While pediatricians recommend that children limit their daily intake of juice products, 35 percent of children under 5 consume more than those recommended levels. In January 2012, *Consumer Reports* published an investigation that found disturbingly high levels of arsenic and another heavy metal in juice products purchased in Connecticut, New Jersey, and New York. Ten percent of the juices sampled contained arsenic, mostly inorganic arsenic, which exceeded federal drinking-water standards. The same study noted that 25 percent of the juice products sampled contained lead levels higher than the federal standards for bottled water.

The previously mentioned study published in *Environmental Health Perspectives* is attached to this letter. The study found that organic brown rice syrup may contain unhealthy levels of arsenic. Specifically, infant formula with organic brown rice syrup as the primary ingredient had an arsenic concentration of up to six times the standard set by the FDA for safe bottled drinking water. In each of the food categories sampled, products with organic brown rice syrup had higher arsenic concentrations than similar products without the ingredient. This is concerning not only for these specific samples, but also because organic brown rice syrup may be used as a sweetener in a variety of food products.

As you know, we are the sponsors of a bill, H.R. 3984, the Arsenic Prevention and Protection from Lead Exposure in Juice Act of 2012, which seeks to limit the amount of arsenic Americans are exposed to in beverages containing fruit juice. We strongly support the intent of this piece of legislation and hope to work with you to protect the public health from juice beverages that contain unsafe levels of arsenic and lead. Given that bill and the recent research on the threat that arsenic in fruit juices and food products pose, we urge you to implement maximum standards for all food products, including juices and infant formula, in a timely manner.

Thank you for your prompt attention to this important public health issue. We look forward to our continued work together to ensure the safety of the American food supply.

Sincerely,

Rosa L. DeLauro  
Member of Congress

Frank Pallone, Jr.  
Member of Congress

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