

United States Senate

WASHINGTON, DC 20510

June 22, 2021

Janet Woodcock
Acting Commissioner
Food and Drug Administration
10903 New Hampshire Avenue,
Silver Spring, MD 20993

Dear Acting Commissioner Woodcock:

We write to emphasize the importance of reducing exposure to toxic heavy metals in baby food and urge your continued efforts to swiftly and efficiently finalize action levels that eliminate these toxic heavy metals.

Last week, Beech-Nut Nutrition recalled an infant rice cereal product due to high levels of arsenic.¹ This incident follows a series of investigations revealing that many popular baby foods contain dangerously high levels of arsenic, lead, cadmium, and mercury. One investigation identified baby foods containing up to 91 times, 177 times, 69 times, and 5 times the limits of arsenic, lead, cadmium, and mercury permitted in bottled drinking water, respectively.²

Action is needed to ensure that baby food products containing toxic heavy metals are not making it to grocery store shelves and into the homes of families. As you know, even low levels of arsenic exposure can impact a baby's neurodevelopment. Babies have developing brains that are sensitive to harm caused by toxic heavy metals, and their risk from exposure is greater given that they are small, have other developing organ systems, and absorb more heavy metals than adults.³ Studies have shown that consuming products with arsenic over time can lead to impaired brain development, growth problems, breathing problems, and a compromised immune system.⁴

This incident involving Beech-Nut's baby rice cereal demonstrates the importance and continuing need for action levels that eliminate toxic heavy metals in baby food. As the lead

¹ LaMotte, Sandee (June 9, 2021), Beech-Nut to stop selling baby rice cereal after finding high arsenic levels, *CNN*, <https://www.cnn.com/2021/06/09/health/beechnut-baby-food-recall-wellness/index.html>.

² U.S. House Oversight Subcommittee on Economic and Consumer Policy (February 2021), *Baby Foods Are Tainted with Dangerous Levels of Arsenic, Lead, Cadmium, and Mercury*, <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2021-02-04%20ECP%20Baby%20Food%20Staff%20Report.pdf>.

³ Philippe Grandjean and Philip J. Landrigan (March 13, 2014), Neurobehavioural Effects of Developmental Toxicity, www.ncbi.nlm.nih.gov/pmc/articles/PMC4418502/; Consumer Reports, Heavy Metals in Baby Food: What You Need to Know (Aug. 16, 2018) (online at www.consumerreports.org/food-safety/heavy-metals-in-baby-food/).

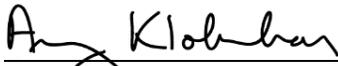
⁴ Dartmouth Toxic Metals Superfund Research Program (2021), *Arsenic and Children*, <https://sites.dartmouth.edu/arsenicandyou/arsenic-and-children/>.

federal agency for protecting public health and food safety, we respectfully request you respond to the following questions:

1. How was the Food and Drug Administration (FDA) made aware of the high levels of arsenic detected in the specific Beech-Nut Single Grain Rice item being recalled?
2. How is the FDA promoting the existing guidance for manufacturers on action levels for inorganic arsenic in infant rice cereals?⁵
3. Describe the FDA's process in setting the current action level for arsenic in infant rice cereals that resulted in the recall of the Beech-Nut Single Grain Rice product.
4. Please provide an update on the status of the FDA's Closer to Zero initiative and what progress has been made in setting action levels for toxic heavy metals across all baby foods.

We look forward to updates on your progress in keeping baby food safe and free from toxic heavy metals.

Sincerely,



Amy Klobuchar
United States Senator



Richard Blumenthal
United States Senator



Patrick Leahy
United States Senator



Tammy Duckworth
United States Senator



Cory A. Booker
United States Senator

⁵ FDA (August 2020), Inorganic Arsenic in Rice Cereals for Infants: Action Level Guidance for Industry, <https://www.fda.gov/media/97234/download>.