

20 States Urge FDA to Take Action on Heavy Metals in Baby Food

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- The attorneys general from 20 states sent a [letter](#) to FDA urging the agency to take official notice of three documents relating to lead in baby food in support of a 2022 petition for reconsideration requesting actions on heavy metals in food for babies and young children. The group of attorneys general filed a citizen petition on October 21, 2021, which FDA denied. The group then filed a reconsideration petition on June 1, 2022. That petition is still pending.
- The 2021 petition urged FDA to drive down the levels of lead, inorganic arsenic, cadmium, and mercury in food intended for babies and young children, including by issuing guidance on finished product testing. According to the petition, this testing would amount to a “preventive control” that should be performed by food manufacturers. Now, the attorneys general say that a [January 2023 guidance document](#) on lead action levels, FDA’s public notices relating to the [investigation into elevated lead levels in applesauce](#), and a December 2023 report on the inspection of the applesauce manufacturer provide additional support for the reconsideration petition.
- According to the attorneys general, these documents “make it evident that some manufacturers and distributors of baby foods in the U.S. currently lack a clear understanding of the proper way to apply preventive controls to avoid adulteration of finished baby food products.” In the documents, FDA reported that the baby food products contained more than 200 times the maximum acceptable concentration of lead under the proposed action levels, yet there was no finished product testing prior to the recall. The harm to children demonstrated in the documents reinforces the need for required toxic element testing in finished products for babies and young children.
- The letter requests FDA take official notice of the documents without reopening the administrative record since the documents are official and reliable FDA publications.

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