



TO: The Honorable Joseline A. Pena-Melnyk, Chair  
Members, House Health and Government Operations Committee  
The Honorable Deni Taveras

FROM: Dr. Mike Ichniowski

DATE: February 7, 2024

RE: **SUPPORT** – House Bill 97 – *Baby Food - Toxic Heavy Metals - Testing and Labeling*

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The Maryland Chapter of the American Academy of Pediatrics (MDAAP) is a statewide association representing more than 1,100 pediatricians and allied pediatric and adolescent healthcare practitioners in the State and is a strong and established advocate promoting the health and safety of all the children we serve. On behalf of MDAAP, we submit this letter of **support** for House Bill 97.

In 2021, a House of Representatives Oversight Subcommittee Investigation found dangerous levels of arsenic, cadmium, lead, and mercury in many brands of baby foods. Manufacturers were found to ignore their own internal standards and continue to sell products with elevated levels of these heavy metals. Manufacturers were only testing ingredients and not their finished products, concealing higher levels of heavy metals in products sold to consumers. Just last year, children with elevated blood levels were identified in 43 states after eating apple-cinnamon baby food products that were found to be contaminated with lead, which was found in very high levels in the cinnamon used in these products. And, while the FDA has initiated a “Closer to Zero” program to address such problems by setting action levels for these heavy metals, it does not require testing of final products or disclosure of testing results by manufacturers. HB 97 intends to address these deficiencies by requiring testing and reporting by manufacturers of their finished products.

Arsenic can cause acute poisoning at high doses, but continued ingestion of smaller amounts can lead to progressive toxicity. Initial signs of gastrointestinal upset may be followed by bone marrow suppression, liver dysfunction, peripheral neuropathy, and disturbance of cardiac conduction. Arsenic can affect intellectual function and liver function in children and is associated with skin disorders as well. Chronic exposure can produce fatigue, malnutrition, and increased risk of infection. It is also a known carcinogen with an increased risk of bladder, lung, and skin cancers. Arsenic exposure in utero and early childhood has been associated with increased mortality from lung cancer in young adults.

Cadmium accumulates in the human body due to its prolonged elimination half-life. Acute exposure can cause vomiting, diarrhea, and abdominal pain. Children with higher urinary cadmium levels were found to have an increased risk of learning disabilities and a greater need for special education services.

Lead is well-known for its neurotoxic effects in children, including lower IQs, decreased academic achievement, language difficulties, attention problems and behavior disorders. Elevated blood levels are also associated with hearing problems, delayed puberty, anemia, and gastrointestinal disorders. The harmful effects of lead poisoning extend into adulthood. Adults with a history of childhood lead poisoning are at a greater risk for

cancer, cardiovascular disease, early-onset dementia, and psychopathology. There is no safe level for blood lead in children.

Mercury accumulates in kidneys, which may lead to protein in the urine and nephrotic syndrome with edema and proteinuria. Acute mercury poisoning, or acrodynia, can occur at higher levels of ingestion; this condition consists of rash, limb pain, peripheral neuropathy, hypertension and kidney dysfunction. The organic compound, methylmercury, is a potent neurotoxin.

Children and fetuses are uniquely susceptible to the effects of these toxic chemicals. Heavy metals can cross the placenta and enter the fetal circulation, and the amount to which the fetus is exposed relative to weight is far greater than that of the mother. Toxic exposures during the time of brain and organ formation and of early growth can have long-lasting impacts on an unborn child, interfering with normal neurologic development. Infants and young children, whose brains and internal organs continue to grow and develop, also have higher levels of exposure to toxic substances in their environment. They eat and drink more relative to their body weight than adults, and their frequent hand-to-mouth behaviors increase inadvertent non-food ingestions, such as from outdoor soil or contaminated house dust. Young children also absorb heavy metals more readily, particularly in the presence of iron deficiency.

There is no substitute for preventing exposure to toxic heavy metals in children living in Maryland. HB 97 intends to do that by assuring that the foods intended for infants and toddlers are demonstrated to be safe for them to eat. Until the FDA can make such assurances at the national level, it is left to the states to provide this protection for their children. The Maryland Chapter of the American Academy of Pediatrics requests a favorable report on this proposed legislation.

**For more information call:**

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