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February 5, 2024

Delegate Joseline A. Pena-Melnyk, Chair
House Health and Government Operations Committee
House Office Building, Room 241
Annapolis, Maryland 21401

Re: **FAVORABLE** - HB97 – Baby Food – Toxic Heavy Metals – Testing and Labelling

Dear Chairman Pena-Melnyk and Members of the Committee:

On behalf of the Green & Healthy Homes Initiative (GHHI), I write in support of HB97. I serve as Chair of the Maryland Lead Poisoning Prevention Commission and as a member of the EPA Children's Health Protection Advisory Committee, the CDC Lead Exposure and Prevention Advisory Committee and the Maryland Green and Healthy Homes Task Force. GHHI is dedicated to addressing the social determinants of health and advancing racial and health equity through the creation of healthy, lead safe and energy efficient homes. GHHI has been at the frontline of lead poisoning prevention and holistic healthy housing for over three decades.

Over its 30-year history, GHHI has developed the holistic energy efficiency, health and housing service delivery model that is implemented in our nationally recognized, Maryland-based direct service program. The model was adopted by the U.S. Department of Housing and Urban Development and is currently being advanced in partner jurisdictions nationally. In addition, GHHI helped to elevate Maryland as a national leader in healthy housing by helping reduce childhood lead poisoning by 99% in the state and helping design over 49 pieces of healthy housing legislation that became law in the State of Maryland and local jurisdictions. By delivering a standard of excellence, GHHI aims to eradicate the negative health impacts of unhealthy housing and unjust policies to ensure better health, economic, and social outcomes for children, seniors and families with an emphasis on Black and Brown low-income communities. GHHI's holistic intervention approach was recently cited by EPA and HUD as a model for effective coordination of federal healthy homes and weatherization programs and resources.

We are deeply committed in our mission to advance racial and health equity, economic mobility and climate resiliency through healthy and energy efficient low-income homes. By improving testing, labelling and reporting standards for baby food, HB97 will address potential sources of lead exposure to infants and young children in baby food.

Impact of Lead Poisoning in Maryland

In 2021, there were 1,430 children with elevated blood levels (EBLs) of 5 µg/dl or higher in Maryland. Lead poisoning from primarily lead in paint, dust and contaminated soil contributes to significant learning disabilities, loss of IQ, speech development problems, attention deficit disorder, poor school performance and violent, aggressive behavior that heavily burdens low-income communities. Lead poisoning directly contributes to the cycle of learning disabilities, poor school performance, steep school dropout rates and juvenile delinquency that prevent low-income children in particular in Maryland from being able to thrive and which burdens the State through increased special education and criminal justice costs. Children poisoned by lead are 7 times more likely to drop out of school and 6 times more likely to be involved in the juvenile justice system.

In 2012, the CDC determined that there was no safe level of lead in a child's body and lowered the blood lead reference level from 10 µg/dl to 5 µg/dl for children. In, 2021, the CDC reviewed all the available blood lead data in the United States and the scientific research and lowered the blood lead reference level accordingly to 3.5 µg/dl. The State of Maryland adopted the 3.5 µg/dl blood lead reference level in 2022.

Addressing Sources of Lead in Baby Food

While significant progress has been made in the fight to end the tragic and insidious disease of childhood lead poisoning, thousands of children, homes and communities remain at high risk for the irreversible effects that lead leaves behind as its toxic legacy. Lead-based paint and lead dust in older housing remains the overwhelming source of lead poisoning, but HB97 addresses an issue that has been overlooked and requires immediate attention – lead in food products especially baby foods. During the past year, lead in food products manufactured for consumption by infants and young children have been recalled by the US FDA for containing high amounts of lead. These products include the recently recalled WanaBana apple cinnamon fruit puree pouches, Schnucks-brand cinnamon-flavored applesauce pouches and Weis-brand cinnamon applesauce pouches in October 2023. These lead contaminated applesauce pouches were sold at popular Maryland and national retailers such as Amazon, Dollar Tree, Family Dollar and Weis grocery stores among others. The CDC's Center for Environmental Health is conducting an investigation in conjunction with local health departments to verify lead exposures from the lead contaminated applesauce pouches. As of January 26, 2024, the CDC has received reports of 98 confirmed cases, 269 probable cases, and 37 suspected cases for a total of 404 cases from 43 different states.

Food products containing lead that can be ingested by children are especially hazardous. Children ingest lead at a greater rate than adults and are more susceptible to the toxic effects of lead. These sources of lead exposure can harm cognitive, behavioral and physical development of a child even at lower blood lead levels. Maryland must pass HB97 to improve baby food standards and public notification by:

- Establishing mandatory and regular testing by manufacturers of baby food that will identify harmful lead and other heavy metals sources in food and the manufacturing process;
- So parents are aware of lead contamination in baby food in real time, requiring companies to provide timely notice to parents and consumers by posting baby food product testing results on company websites and reporting the results of tests to government agencies;
- Improving food product warning labels about lead content in baby food so that parents and consumers can make informed choices about the baby food they purchase.

The State of California’s mandatory baby food testing law went into effect on January 1, 2024, and Maryland must follow their lead to avoid lead exposures. HB97 will help achieve the overarching goal of ending childhood lead poisoning by requiring increased testing for lead and other heavy metals in food products for young children before their sale and improving the labelling and warnings for parents of food products that may contain lead. It is our mission to uphold our commitment to future generations by bringing an end to this entirely preventable disease. We ask for a Favorable Report on HB97.

Respectfully Submitted,



Ruth Ann Norton
President and CEO