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February 2, 2026

To: The Honorable Heather Bagnall, Chair
Health Committee

From: Irnise F. Williams, Deputy Director, Health Education and Advocacy Unit

Re: House Bill 0196 - Public Health - Baby Food Testing - Definition of Baby Food-
LETTER OF INFORMATION

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) submits a letter of information on HB196. This bill would expand the definition of baby food to include infant formula and infant cereal, making all products subject to the following legal requirements:

- Prohibiting the sale, distribution, or offer for sale of baby food that contains toxic heavy metals that exceed the limits established by the U.S. Food and Drug Administration (FDA).
- Testing a representative sample of each production aggregate of the manufacturer's final baby food product for each toxic heavy metal.
- Website transparency about the levels of toxic heavy metals present in baby food.

Testing would help identify harmful metals in infant formulas and cereal, prevent the sale of products that exceed FDA limits, create transparency for families who use these products, and prevent harm if consistent issues are found among certain manufacturers. Testing by public interest groups and the FDA has repeatedly shown the presence of heavy metals in baby food products. For example, [Consumer Reports](#) tested 41 types of powdered formula and found that about half contained potentially harmful levels of at least one contaminant.

In February 2021, the U.S. House Oversight and Reform Committee's Subcommittee on Economic and Consumer Policy published a [report](#) finding high levels of toxic heavy metals — including arsenic, lead, cadmium, and mercury — in baby foods sold by major manufacturers.

A [follow-up report](#) in September 2021 urged the FDA to set limits for these metals in baby foods.

Following these reports, this Office, along with a group of twenty or more other State Attorneys Generals, wrote letters to the FDA and USDA in October 2021, June 2022, and February 2024 urging immediate action to reduce heavy metal levels and provide industry guidance on testing.

In April 2021, the FDA announced its “Closer to Zero” plan, committing to propose action levels for lead, arsenic, cadmium, and mercury. While [lead guidance](#) was issued in January 2025, other deadlines have since been removed from the FDA’s website. The FDA and the World Health Organization have declared that inorganic arsenic, lead, cadmium, and mercury are toxic heavy metals dangerous to human health, particularly for babies and children, who are most vulnerable to their neurotoxic effects. Even low levels of exposure can cause serious and irreversible damage to brain development.

Thank you for considering this information as you review HB196.

cc: Delegate Deni Taveras