

# United States Senate

WASHINGTON, DC 20510

December 21, 2023

The Honorable Patty Murray  
Chair, Committee on Appropriations  
United States Senate  
Washington, DC 20510

The Honorable Susan Collins  
Vice Chair, Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Chair Murray and Vice Chair Collins:

We write to thank you for your strong support of the Food and Drug Administration's (FDA) Maternal and Infant Health programs, including the *Closer to Zero* program, in Fiscal Year (FY) 2023. We urge you to increase funds to those programs as you refine the FY 2024 appropriations package. Recent news regarding elevated blood lead levels in young children potentially linked to certain fruit puree products once again highlights why we should prioritize Federal funds to make sure that the very youngest members of our society are fed safe and nutritious foods. While we acknowledge that Senate report language regarding heavy metals in baby foods has been included, we urge you to appropriate \$20 million to support FDA's Maternal and Infant Health and Nutrition programs to enable the agency to improve its oversight and enforcement capacity.

In 2021, the FDA announced its *Closer to Zero* initiative, which sought to "identify actions the agency will take to reduce exposure to toxic elements from foods eaten by babies and young children—to as low as possible" and included timelines to set standards for four toxic heavy metals (arsenic, lead, cadmium and mercury) found in baby foods. After months of delays, FDA recently issued proposed draft action levels of lead in foods intended for consumption by babies and young children. This draft guidance is the latest to remain unfinalized, after FDA released draft guidance on levels of lead in juices in 2022. Interim reference levels of arsenic, cadmium and mercury also remain incomplete, despite the negative effects these toxic heavy metals can have on the development of infants and children under the age of two. Their presence poses a continuous threat to the Nation's public health and food supply. It is essential that standards for industry be expeditiously set and that the FDA works to enforce compliance of these standards.

In addition, infant formula is a vital source of nutrition for infants in one of the most vulnerable stages of a child's life. The American Academy of Pediatrics recommends parents continue breastfeeding or incorporating infant formula into their child's diet for the first year of their life. Families rely on formula—both powdered and liquid—to supplement their children's nutritional intake. Parents deserve to be confident that the infant formula products they feed their babies are nutritionally adequate, safe from contaminants and readily accessible at retail stores. Unfortunately, as many families have discovered during the recent infant formula shortage, these goals have fallen short. Additional oversight into the manufacturing practices, safety concerns and the sourcing of raw materials for infant formula is needed to ensure the utmost safety of this sole source of nutrition.

We appreciate the agency's actions to reform its oversight of human foods that will ensure the safety and nutritional adequacy of the foods consumed by infants and young children. Even

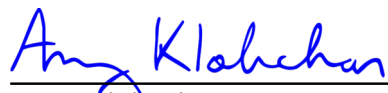
though internal organizational changes remain ongoing, additional funding is necessary to continue supporting and expanding the vital work FDA is undertaking to ensure infant formula and baby foods are safe for our Nation's next generation. FDA must be empowered to do its share of the work. This includes hiring additional, qualified staff with strong expertise to review infant formula registrations and monitor baby food safety before products hit the market. Additional support will help FDA to prevent and better respond to outbreaks or needed recalls.

The health and livelihood of future generations is of utmost importance, and we must do everything we can to ensure we set them up for success. Thank you for your consideration of this request.

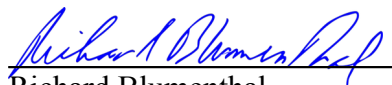
Sincerely,



Tammy Duckworth  
United States Senator



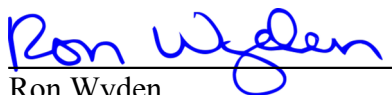
Amy Klobuchar  
United States Senator



Richard Blumenthal  
United States Senator



Debbie Stabenow  
United States Senator



Ron Wyden  
United States Senator



Cory A. Booker  
United States Senator