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California Passes Baby Food Heavy Metal Testing Law

On October 10, 2023, Governor Newsom signed *AB-899 Food safety: baby food* into law. The bill requires manufacturers to test for the presence of arsenic, cadmium, lead, and mercury in finished baby food products. The law also requires test results to be publicly available on the manufacturer's website and additional labeling on the product, when appropriate.



Beginning January 1, 2024, the manufacturer shall test a representative sample of each "production aggregate" of the final baby food product for the "toxic elements" identified in the law (arsenic, cadmium, lead, and mercury). Additionally, each final baby food product shall be tested at least once a month and the test results shall be available upon request.

Final baby food products sold, manufactured, delivered, held, or offered for sale in California on and after January 1, 2025 shall also meet the following requirements:

- The manufacturer's internet website shall list the name and level of each toxic element present in each production aggregate of a final baby food product.
 - The information shall remain on the website for the duration of the product shelf life plus one month.
 - The website shall include descriptive information so consumers may accurately identify the final baby food product. This may include, but not be limited to, the product name, UPC, size, lot number, or batch number.
- If the product is tested for a toxic element subject to a US Food and Drug Administration (FDA) action level, regulatory limit, or tolerance, the product label shall include the following:
 - A QR code or other machine-readable code that links to the manufacturer's website with the following information:
 - Test results for the toxic element
 - A website link to a FDA website where consumers can find the most recent FDA guidance and information on the health effects of the toxic element in children
 - A statement that reads, "For information about toxic element testing on this product, scan the QR code."

The law defines baby food as, "food packaged in jars, pouches, tubs, and boxes represented or purported to be specifically for babies and young children less than two years of age. "Baby food" does not include infant formula."

Link: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB899

How Does this Impact You? Contact Us to Discuss

If you have any questions, please contact your customer service representative or email: info@us.bureauveritas.com

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