

CONSUMERS UNION
STATEMENT OF CRITICAL ISSUES

1. Food is different from other products and requires a more complex approach that takes into account whether foods are prepackaged or raw, and whether the Prop 65 substance is added or naturally occurring, whether it serves a positive purpose, and whether there is an issue of relative risk.
2. Information must be provided in the store. Large portions of the population do not have or know how to use computers, and almost no shoppers refer to their computers while shopping, which is when they make buying decisions. A generic statement that some things in the store carry Prop 65 risks is also unhelpful. Information must be more specific.
3. Prop 65 labels on food should indicate only the type of risk that is relevant (i.e. reproductive toxin, OR, carcinogen, OR toxicity).
4. For additives in prepackaged foods and dietary supplements, there should be a warning label on the package. It should name the Prop 65 substance and its effect. If it also serves a beneficial purpose (like nitrates) that should be stated.
5. If the additive is toxic in larger quantities that included in the product (such as a vitamin), the maximum recommended daily intake should be indicated, since consumers may get the additive from multiple products.
6. If the Prop 65 substance is a natural and unavoidable contaminant, such as a heavy metal, and the food is packaged, then the experience with dietary supplements may be helpful which refers to a maximum daily dose for the most vulnerable population.
7. However where the contaminant affects a class of products, such as mercury in fish, or acrylamide in toasted wheat and potato products (and others), including raw commodities, more information is needed, and could be provided in tear off sheets near where the class of products is sold, such as near the fish counter. It would be most helpful for such tearoffs to indicate which products in the class are High in the contaminant, or Low, and ones that have very low or negligible amounts. This would allow consumers to place the Prop 65 warning in context. A tearoff would give the consumer a means to take home the information and process it further.