

August 18, 2020

Monet Vela
Office of Environmental Health Hazard Assessment
1001 I Street, 23rd Floor
P. O. Box 4010
Sacramento, California 95812-4010

Dear Monet Vela:

On behalf of the Center for Environmental Health's 5,000 California supporters, I thank OEHHA for protecting California's children by proposing to reduce the amount of lead in chili and tamarind candies. We appreciate the effort that OEHHA has put into calculating naturally occurring lead contamination in the ingredients used in these candies. We believe that the naturally occurring level currently used (100 parts per billion) is outdated and should be reduced.

The estimation of naturally occurring lead contamination is challenging because many of the available data sets include values that are mostly below the level of quantitation for the lead analysis. However, it appears to us that a naturally occurring level of 10 parts per billion (ppb), in addition to being more health protective than the proposed 20 ppb, is a feasible and justifiable naturally occurring level. In the data compiled by the Attorney General's office, over 80% of the tested candies were contaminated with less than 10 ppb lead. From CEH's perspective this is clear evidence that through good agricultural, manufacturing, and procurement practices, lead contamination less than 10 ppb is feasible. Therefore, a naturally occurring contamination level higher than 10 ppb is not appropriate.

We note that California's lead in candy law requires the naturally occurring lead level to be reviewed every three to five years. This updating of the naturally occurring level is years overdue. We look forward to OEHHA expediting the process of adopting a new level.

Sincerely,

Matt Nevins
Research Manager
Center for Environmental Health