

CANDY MANUFACTURERS

Don't Let the Border Be a Barrier to Your Business:
Prevent Lead Contamination in Candy

Why should your company participate in a program to eliminate lead from its candy?

California law (AB121) prohibits the sale of chili- and tamarind-based candy products contaminated with lead. To help you comply with this law, the California Attorney General's Office has established a certification process. Once certified, your candy products will appear on the list of those approved for sale in the State of California.

The certification process includes an audit of your manufacturing process to pinpoint possible sources of lead contamination, following the auditor's recommendations to eliminate these possible sources of lead contamination, and regular testing to make certain the candy is safe.

By agreeing to participate in this certification program, your company

- Will have access to information about certified auditors, certified lead-free chili powder companies and certified testing laboratories
- May qualify for financial assistance to obtain an audit for guidance on how to eliminate the lead and to pay for initial lab testing.

Once your candy products are tested and shown to be safe, they will be posted on a list of approved candy products that are safe to be sold in the State of California, and the media and public will have access to this approved list.

The fee for participating in the certification program is based on company size.

For more information,
contact Leticia Ayala at:

What are the roles of the California Attorney General's Office and Environmental Health Coalition?

In 2004, the California Attorney General's Office filed a Proposition 65 lawsuit against 34 manufacturers whose candies tested positive for dangerous levels of lead. Joining the Attorney General were several other government agencies and non-profit organizations, including Environmental Health Coalition. The lawsuit was settled by 7 large manufacturers in June 2006. As part of the settlement, the certification process and an educational outreach fund were established.

Companies not originally a part of the lawsuit can join the certification process. To date more than 22 additional companies have agreed to the terms of the settlement. The Attorney General's Office is responsible for enforcing the settlement.

Environmental Health Coalition will assist candy manufacturers sign-on to the agreement and complete the certification process.

Environmental Health Coalition
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What is Lead?

Lead is a heavy metal used in many materials and products. When absorbed into the body, it is highly toxic to many organs and systems such as the nervous system and kidneys. It also seriously hinders the body's neurological development. Lead is a natural element and does not break down in the environment. Even very tiny amounts of lead are hazardous, especially to children under the age of six.

Where is lead found in chili and tamarind-based candy products?

Candy products can be contaminated with lead through the use of contaminated ingredients, in the manufacturing process, and by the candy wrappers and packing. Chilis and salt have been identified as the most commonly contaminated ingredients.

How serious is the problem of childhood lead poisoning due to lead in candy?

More than 100 brands of candy sold in California, most of them from Mexico, have tested positive for dangerous levels of lead in the past decade. Children are lead poisoned by eating the candy and also by handling the wrapper. Tamarind candy is acidic which makes the lead from the wrapper leach into the product.

Fifteen percent of the children found with lead poisoning throughout the State of California in 2002 were linked to lead in candy as the source according to an audit conducted by the Center for Disease Control & Prevention.

What are the key provisions of the California law AB 121 to protect children from lead in candy products?

- Prohibits the sale of chili and tamarind-based candy products contaminated with lead.
- The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment and the Department of Health Services will establish a health-based standard for lead in candy.
- The Department of Health Services has the authority to test, ban and remove chili and tamarind-based candy products contaminated with lead.
- Requires issuance of health advisories when lead has been found in chili and tamarind-based candy products to warn parents, health departments, school districts and candy store owners/distributors.

Key Phone Numbers

ORGANIZATION	CONTACT	FOR INFORMATION ABOUT
California Attorney General's Office	Dennis Ragen or Joanna Millot 110 West A Street, Suite 1100 San Diego, CA 92101 Telephone: (619) 645-2016 - Ragen Telephone: (619) 645-2380 - Millot dennis.ragen@doj.ca.gov joanna.millot@doj.ca.gov	Questions about settlement agreement-English
California Attorney General's Office	Wendy Lira 110 West A Street, Suite 1100 San Diego, CA 92101 Telephone: (619) 645-2033 wendy.lira@doj.ca.gov	Questions about settlement agreement-Spanish
Environmental Health Coalition	Leticia Ayala Director Campaign to Eliminate Childhood Lead Poisoning Telephone: (619) 474-0220 ext. 121 LeticiaA@environmentalhealth.org	Information about upcoming workshops for candy manufacturers Information about labs, suppliers, approved list of candy products for sale in California Bilingual Staff

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Environmental Health Coalition is a private nonprofit organization founded in 1980. It is dedicated to the prevention and cleanup of toxic pollution threatening the health and the environment of the San Diego/Tijuana region.