

# Congress of the United States

Washington, DC 20515

April 16, 2024

The Honorable Robert M. Califf  
Commissioner  
United States Food and Drug Administration  
10903 New Hampshire Ave  
Silver Spring, MD 20993

Dear Commissioner Califf,

We write to you as members of the Congressional Dads Caucus, a diverse group of fathers and mothers who represent districts from across the country and have pledged to advocate for the best interests of all parents and young children. We prioritize policies that uplift and protect all families, from paid leave to affordable and accessible child care for all. Our mission compels us to write to you and express our deep concern regarding the state of children's food safety in our country, especially considering lead contamination in FDA-approved applesauce last year. **We request that the FDA provide us with further information about what the agency is doing to ensure this never happens again and to guarantee food safety for young children.**

In February, the *New York Times* [reported on the contamination of certain applesauce products](#) that had passed, undetected by inspections or checkpoints, into public consumption. Alarming, this issue was not discovered by the FDA or any other federal oversight agency. The lapse was instead caught after kids started exhibiting symptoms of lead poisoning, and concerned parents and local health officials began looking into possible sources of their illnesses—only to find the culprit in their own pantries. Long-term effects of lead toxicity include impairments to the brain and nervous system, and young children undergoing critical mental and physical development are particularly susceptible to lead absorption.

Further investigation revealed that lead from lead chromate has been added to ground cinnamon at a plant in Ecuador, likely due to economically motivated adulteration. The contaminated cinnamon then found its way into WanaBana applesauce products and resulted in detrimentally high blood lead levels in hundreds of children across 44 states. The FDA subsequently issued a recall to take these products off the shelves—however, for affected children and families, that change came much too late. In its latest update, the CDC reports over [500 cases across 44 states, Washington, D.C., and Puerto Rico](#). More recent news has also highlighted unacceptable levels of the heavy metal in [school-served Lunchables](#), emphasizing the ongoing struggle parents face in keeping their children safe.

The current FDA approach to securing food safety operates under the 2011 Food Service Modernization Act (FSMA). Among other mandates, the FSMA requires 19,000 inspections of foreign food manufacturing and processing facilities every year. Only 1,200 such reviews were reported last year. Furthermore, while the FSMA determined that at least 5,000 import investigators should be employed to carry out the required number of inspections, chronic underfunding and staff attrition has resulted in the FDA staffing only 413 investigators. This shortage comes as import volumes increase year by year; last year the agency recorded 15 million lines of food imports.

Beyond falling short of carrying out the minimum *quantity* of inspections, the agency has also faltered in its ability to guarantee the *quality* of these inspections. Currently the FDA relies on the Foreign Supplier Verification Program (FSVP) to ensure all food imports align with U.S. food standards. FSVP operates by putting the onus for vetting food on the industry. Manufacturers provide their own framework for assessing

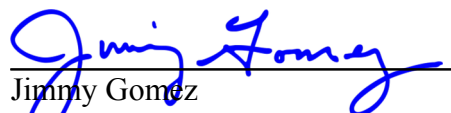
their products through a food safety plan and hazard assessment. While the FDA provides draft guidance (i.e., lists lead as a hazardous heavy metal), it does not provide or enforce the assessments themselves.

The Congressional Dads Caucus acknowledges the need for more agency resources, but we strongly believe the FDA also needs to be doing more with its existing funding to prevent these devastating lapses in food safety. Thus, we ask that you respond to the following questions and provide us with a better understanding of how your efforts will prevent such dangerous food contamination incidents from occurring again:

1. We believe that the current system—which allowed for the contamination of food products primarily marketed for consumption by children—is clearly not working. Along with increased authorities must come actionable, measurable improvement in responsibilities and efficacy of food safety. **What steps are being taken to address food contamination by heavy metals, and what guarantees do you have for the public that such incidents won't happen again?**
2. We support more robust funding so that the FDA can better meet its congressionally mandated food safety responsibilities. We also raise the need for the recruiting and training of agency staff to fulfill FSMA-mandated quantity and quality of inspections. **What is the level of funding necessary for the FDA to achieve its food safety mandates?**
3. Finally, we request further information about new authorities requested by the FDA and how they will be used to conduct necessary inspections and preventative screenings. **How does the agency propose to utilize any new authorities and make concrete changes to ensure the safety of the food products consumed by our families?**

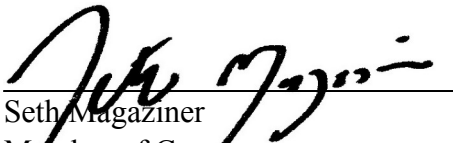
No family should have to question whether the food eaten by their kids every day will cause them harm—especially when these products have already been stamped with FDA approval. We appreciate your attention to these matters and heightened attention to gaps in our food safety, and we look forward to receiving your response.

Sincerely,

  
Jimmy Gomez  
Member of Congress

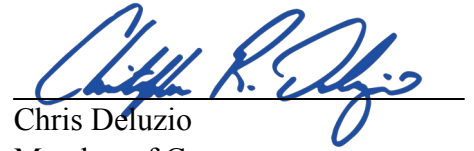
  
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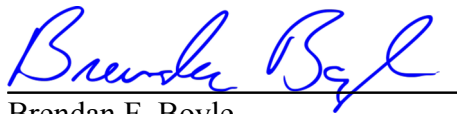
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Rashida Tlaib  
Member of Congress



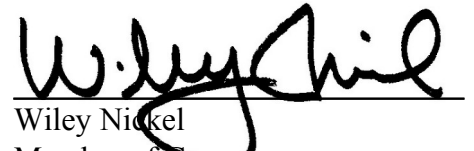
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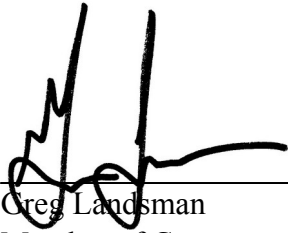
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Brittany Pettersen  
Member of Congress



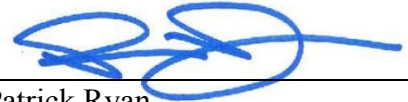
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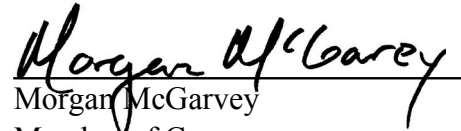
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