

March 17, 2023

Mr. David Shaffer (Chairman & Co-CEO) and  
Mr. Gardner Jett, Jr. (Co-CEO)  
Just Born Quality Confections  
1300 Stefko Boulevard  
Bethlehem, PA 18017-6672

Dear Messrs Shaffer and Jett,

We write to urge Just Born Quality Confections to remove Red Dye No. 3 from its candies, as it is a known carcinogen that has been banned by the Food and Drug Administration (FDA) for use in cosmetics since 1990. We further recommend that Just Born Quality Confections commit to a clear timetable for its removal.

In late 2022, over 20 organizations, including Consumer Reports, submitted a petition to the FDA calling on the agency to prohibit Red Dye No. 3 in food, dietary supplements, and ingested drugs. As noted in the petition, there is substantial evidence for the carcinogenic effects of Red Dye No. 3 that would be cause of concern for anyone consuming products that include this synthetic coloring.

“The FDA found in 1990 that long-term feeding studies of FD&C Red No. 3 in rats showed that treated animals developed adenomas and carcinomas of the thyroid and ‘provided convincing evidence that FD&C Red No. 3 is an animal carcinogen,” the petition states.

In fact, the petition further notes that the FDA concluded that the evidence was robust enough to “firmly establish” that Red Dye No. 3 causes thyroid cancer in male rats. As a result, it terminated the provisional listings of Red Dye No. 3 for use in cosmetics, including lipsticks and other ingested cosmetics, and externally applied drugs. Inexplicably, although these external uses were deemed unsafe, ingested uses continued.

Consumers expect Just Born Quality Confections products to be safe and free from substances that can cause harm. As your [website states](#), “...safety and quality are a top priority, particularly when it comes to selecting the ingredients we use to make our candies.” Unfortunately, despite the long-established record of negative health effects, we found that Red Dye No. 3 remains in many Just Born products including:

- Peeps® Pink Marshmallow Chicks
- Peeps® Easter Marshmallow Pink Bunnies
- Peeps® Purple Marshmallow Chicks
- Peeps® Easter Marshmallow Purple Bunnies
- Hot Tamales®

We are urging immediate action on Just Born's candy products specifically because of the seasonality of the Peeps® product line. Consumers enjoying Easter candy should not be unwittingly exposed to known carcinogens.

Thank you for your attention to this matter. We hope Just Born Quality Confections will act urgently to address Red Dye No. 3 in all products, and request a response by Friday March 31, 2023. If you would like to discuss this matter, please contact me at 202-744-5291.

Sincerely,

/s/

Brian Ronholm  
Director, Food Policy  
Consumer Reports