



**Statement by
Brian Ronholm
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Before the California State Assembly Committee on Environmental Safety & Toxic Materials
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Mr. Chairman, Mr. Vice-Chair, members of the committee, I'm Brian Ronholm, Director of Food Policy for Consumer Reports, an independent, non-profit and non-partisan organization that works with consumers to create a fair and just marketplace. I'm based out of Washington, DC, but am a proud graduate of Cal State East Bay.

I appear today on behalf of several hundreds of thousands of Consumer Reports members in California, who are very worried about toxic chemicals in food. In fact, they are often more worried about these chemicals than they are about more imminent food safety threats like E. coli and Salmonella.

Our members are demanding immediate action to prohibit the use of these toxic chemicals and are responding by signing petitions to the FDA and writing letters to federal and state policymakers. They see these chemicals being banned in the E.U., and elsewhere in the world and question why FDA still allows it in food products – many which are marketed to children, including candy and junk food. It's beyond time to get these unnecessary, dangerous additives out of our food.

I also want to dispel the notion that the FDA has a robust regulatory system in place to review and reevaluate the so-called safety of these chemicals, and that they have the authority to prohibit additives when new evidence is presented.

In fact, if the FDA regulatory system was as robust as some claim, these chemicals likely would no longer be on the market, in light of more recent studies illuminating the health risks posed by these chemicals.

The FDA does not have a legal requirement to reevaluate the safety of food chemicals once they are allowed in processed food. The food chemicals in the bill have not been thoroughly assessed for safety in over a decade despite recent studies raising serious health concerns.

Despite the serious and well-documented risks posed to our health by these five food chemicals, the FDA has failed to take action to protect the public.

AB 418 would represent an important first step in removing these harmful chemicals from candies, cookies and other processed food. At a time when the FDA's weak oversight has prevented it from taking action, it is critical for states like California to protect consumers from these toxic food chemicals.

Thank you for the opportunity to appear before you today.

Background

Brominated vegetable oil:

– 1977, FDA allowed its use on an interim pending additional study. They must be still studying it because the regulation has not been updated in 46 years.

BVO is used in about 70 sodas and beverages, most of them vibrantly colored and citrus-flavored. Peer reviewed studies conducted on rodents have linked brominated vegetable oil to neurological problems; thyroid, heart, and liver problems, and behavioral, developmental and reproductive issues.

Potassium bromate:

- 1966: FDA approved its use.
- 1973: FDA announced a planned literature review. It was never completed.
- 1990: In response to a CSPI petition to ban it, FDA said it couldn't examine the issue due to limited availability of resources and other agency priorities.

This is added to flour to strengthen dough and is found in many packaged breads, dumplings and frozen foods. It has been linked to cancer.

Propyl Paraben:

FDA last reviewed its allowance in 1977.

This is used as a preservative in many packaged corn tortillas, baked desserts, and cake icing. It has been shown to cause endocrine disruption and reproductive issues in lab animal testing.

Red Dye 3:

- 1969: FDA permanently approved its use in foods.
- 1990: FDA banned it from cosmetics after further study showed it causes cancer in rats. FDA indicated it would “take steps” to ban it from food too. That never happened.

Has been found to cause cancer and thyroid tumors in lab animals and has been linked to hyperactivity and other neurobehavioral effects in children. It was banned for use in cosmetics by the FDA in 1990, but is still allowed in food. It is found in nearly 3,000 food products, including candies, baked goods, snacks, cereals, and sodas.

Titanium dioxide:

- 2013: FDA last reviewed the safety of titanium dioxide in food when it approved a color additive petition to allow the use of mica-based pigments containing titanium dioxide in distilled spirits.

This is used as a food coloring to make coffee creamers, baking decorations, and sauces appear whiter and in some candy and other products to make colors appear more vivid. It has been linked to digestive tract problems, and it was banned in Europe after scientists there could not rule out genotoxicity, the ability of the substance to damage genetic information in the body's cells.