

April 23, 2025

The Honorable Catherine Blakespear, Chair Senate Committee on Environmental Quality 1021 O Street, Suite 7720 Sacramento, CA 95814

RE: SB 646 (Weber Pierson) - Support

Dear Chair Catherine Blakespear:

The Center for Science in the Public Interest is pleased to support <u>SB 646</u> (Weber Pierson), which strengthens maternal and fetal health protections by requiring manufacturers to test and publicly disclose the levels of four toxic heavy metals—arsenic, cadmium, mercury, and lead—in all prenatal vitamins sold or distributed in California.

Both the US Centers for Disease Control and Prevention (CDC) and the American College of Obstetricians and Gynecologists recommend daily consumption of prenatal vitamins for individuals who are or may become pregnant to avoid certain birth defects, such as neural tube defects.<sup>1</sup> As a result, prenatal vitamins that contain folate and iron are widely recommended and are essential to ensure expecting mothers have the nutrients they need to support healthy fetal development.

However, recent studies have raised concerns about the presence of toxic heavy metals in prenatal vitamins. A report from the Government Accountability Office (GAO) found lead or cadmium in half of the prenatal vitamins tested.<sup>2</sup> Other independent studies have also detected heavy metals in prenatal vitamins and supplements, with 15% of products containing levels of lead that would exceed the maximum allowable dose level (MADL) set under California's Proposition 65 to protect against reproductive and developmental toxicity.<sup>3,4,5</sup> There is no known safe level of lead exposure for children, a fact recognized by FDA<sup>6</sup> and other U.S.<sup>7,8</sup> and global<sup>9</sup> health authorities. Reducing heavy metal contamination in prenatal supplements will therefore protect public health.

Despite FDA recognizing these risks, there are currently no federal or state regulations specifically addressing heavy metal contamination in prenatal vitamins. SB 646 is a necessary step to improve transparency, empower consumers to make informed choices, encourage manufacturers to reduce contamination, and lay the groundwork for potential safety standards.

For these reasons, CSPI supports SB 646 and respectfully urges your "aye" vote. Thank you for your consideration.

Sincerely,

Peter Lurie, President Jensen N. Jose, Regulatory Counsel Thomas Galligan, Principal Scientist for Food Additives and Supplements Center for Science in the Public Interest <sup>3</sup> Gardener H, Bowen J, Callan SP. Heavy metals and phthalate contamination in prenatal vitamins and folic acid supplements. *Environ Res.* Published online February 26, 2025. <u>https://doi.org/10.1016/j.envres.2025.121255</u>.

<sup>4</sup> Schwalfenberg G, Rodushkin I, Genuis SJ. Heavy metal contamination of prenatal vitamins. Toxicol Rep. 2018;5:390-395. Published 2018 Mar 6. <u>https://www.doi.org/10.1016/j.toxrep.2018.02.015</u>.

<sup>5</sup> Borgelt LM, Armstrong M, Brindley S, Brown JM, Reisdorph N, Stamm CA. Content of Selected Nutrients and Heavy Metals in Prenatal Multivitamins and Minerals: an Observational Study. *Am J Clin Nutr.* Published online April 17, 2025. <u>https://www.doi.org/10.1016/j.ajcnut.2025.04.013</u>.

<sup>6</sup> U.S. Food and Drug Administration. Action Levels for Lead in Food Intended for Babies and Young Children: Draft Guidance for Industry. January 2025. Available: <u>https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-action-levels-lead-processed-food-intended-babies-and-young-children</u>.

<sup>7</sup> U.S. Centers for Disease Control and Prevention. About Childhood Lead Poisoning Prevention. March 13, 2025. Accessed: April 21, 2025. https://www.cdc.gov/lead-prevention/about/index.html.

<sup>8</sup> U.S. Environmental Protection Agency. Basic Information about Lead in Drinking Water. April 10, 2025. Accessed: April 21, 2025. Available: <u>https://www.epa.gov/ground-water-and-drinking-water/basic-information-about-lead-drinking-water</u>.

<sup>9</sup> World Health Organization. Lead Poisoning. September 27, 2024. Accessed: April 21, 2025. <u>https://www.who.int/news-room/fact-sheets/detail/lead-poisoning-and-health</u>.

<sup>&</sup>lt;sup>1</sup> US Centers for Disease Control and prevention (CDC). Folic Acid: Sources and Recommended Intake. September 9, 2024. <u>https://www.cdc.gov/folic-acid/about/intake-and-sources.html</u>; American College of Obstetricians and Gynecologists (ACOG). *FAQs: Reducing Risks of Birth Defects*. Published: October 2019. Last reviewed: April 2023. <u>https://www.acog.org/womens-health/faqs/reducing-risks-of-birth-defects</u>; ACOG. *Nutrition During Pregnancy*. June 2023. <u>https://www.acog.org/womens-health/faqs/nutrition-during-pregnancy</u>.

<sup>&</sup>lt;sup>2</sup> US Government Accountability Office (GAO). *Prenatal Supplements: Amounts of Some Key Nutrients Differed from Product Labels*. GAO-24-106689. Published: Dec 12, 2023. Publicly Released: Jan 11, 2024. https://www.gao.gov/products/gao-24-106689.