

[California mandates toxics testing/disclosure for baby food](#)

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What Happened?

On October 10, 2023, [California Assembly Bill 899](#), authored by Assembly Member Al Muratsuchi, became law. It requires manufacturers of baby food (other than infant formula) who wish to sell their products in California to:

- Test a representative sample of each baby food product for four toxic elements (arsenic, cadmium, lead, and mercury) at least monthly starting in 2024.
- Provide the test results to the California Department of Health upon request.
- Make the results of the testing publicly available on the manufacturer's website for the shelf life of the product plus one month. That provision goes into effect in 2025.

In addition, as FDA establishes action levels for the four toxic elements, manufacturers must also include a quick response (QR) code on the label that links to the manufacturer's website, where consumers can find the test results for that toxic element.

Why It Matters

By requiring testing and reporting on these foods, California will provide parents and guardians with important information they need to compare products and make purchasing decisions.

The law also:

- Sets a precedent for greater testing and disclosure of food contaminants; and,
- Is noteworthy, in that baby food companies did not oppose the bill.

The law will strengthen FDA's efforts to reduce children's dietary exposure to those toxic elements to the lowest possible levels, while maintaining access to nutritious foods by filling two critical gaps in FDA's [Closer to Zero](#) program. FDA current approach sets action levels on final products that food companies must meet and requires they use preventive controls to manage toxic elements in their ingredients. It does not require final product testing or disclosure of any testing results.

Our Take

We applaud California Assemblymember [Al Muratsuchi](#) for his leadership on this bill and thank Governor Newsom for signing it. We were glad to be able to provide technical guidance to the author to address questions and concerns and to join with 21 other organizations to urge the legislature to pass the bill and the Governor to sign it into law.

Two years ago, Reps. Krishnamoorthi (D-IL) and Cárdenas (D-CA) and Senators Klobuchar (D-MN) and Duckworth (D-IL) introduced the [Baby Food Safety Act](#) tackle this important issue. California's AB-899 captures a key aspect of that bill – final product testing – and goes further by requiring public disclosure as FDA struggles to finalize action levels under the *Closer to Zero* program. Given California's population, we expect it to become the *de facto* national standard.

Next Steps

Currently, infant rice cereal is the only product for which FDA has final action levels for toxic elements. We will press FDA to finalize its proposed action levels for baby food and juice since that will trigger addition of the QR Code to product labels to simplify consumer access. In addition, we will encourage baby food companies to provide this type of information for products sold outside California so all consumers can benefit.

Go Deeper

Read more about [EDF's work related to lowering the level of toxic elements in food for children and babies](#).

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