

1 [Resolution urging the implementation of measures to prevent the consumption of lead tainted
2 candy by children in San Francisco.]

3 **Resolution urging the United States Food and Drug Administration, the California**
4 **Department of Health Services, and the San Francisco Department of Public Health to**
5 **implement measures to prevent the consumption of lead tainted candy by children in**
6 **San Francisco.**

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8 WHEREAS, Lead is a naturally occurring element known to be toxic to humans,
9 particularly to infants, young children and developing fetuses; and,

10 WHEREAS, Lead can damage both neurologic and blood-forming systems, resulting in
11 anemia, as well as learning disabilities and behavioral disorders which have tremendous long-
12 term social costs; and,

13 WHEREAS, The U.S. Food and Drug Administration (USFDA) has recommended that
14 children under age 6 should not consume more than 6.0 micrograms of lead each day from all
15 food sources; and,

16 WHEREAS, *Chaca Chaca* and other brands of chili-candies (The CA DHS has in
17 particular issued advisories about four other seasoning imported from Mexico: Lucas Limon,
18 Lucas Acidito, Super Lucas and Super Jovy Chili Powder (8/4/04)) are known by both the U.S.
19 Food and Drug Administration and the California Department of Health Services (CDHS) to be
20 a lead-contaminated candy imported from Mexico; and,

21 WHEREAS, A young child eating *Chaca Chaca* or one of these other brands of chili-
22 candy could ingest nearly twice the recommended level of lead; and,

23 WHEREAS, As far back as 1995, the USFDA issued a Guidance for Industry "Letter to
24 Manufacturers, Importers, and Distributors of Imported Candy and Candy Wrappers",
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1 indicating that lead levels exceeding 0.5 part per million (ppm) in a candy product constitute a
2 basis for regulatory action where frequent consumption of the candy by small children could
3 be anticipated; and,

4 WHEREAS, The California Department of Health Services (CDHS) warned consumers
5 not to eat *Chaca Chaca* or other named brands of chili-candy, lead-contaminated from Mexico
6 in March, 2004; and,

7 WHEREAS, The USFDA issued an FDA Statement to the media on April 9th, 2004,
8 committing to actions to resolve the problem of lead in imported candies; and,

9 WHEREAS, The USFDA has not conducted a consumer awareness campaign on this
10 issue since an April 2001; and,

11 WHEREAS, Recent surveys of Parents and Teachers in San Francisco's Mission
12 District found significant consumption of lead-contaminated candy products among Latino
13 children under 7 years old; now, therefore, be it

14 RESOLVED, That the Board of Supervisors hereby urges the US Food and Drug
15 Administration to evaluate and report on progress on commitments made in their press
16 statement of April 9, 2004, specifically reporting on actions to resolve problem of lead
17 contamination in the manufacturing process, to increase public awareness of the problem, to
18 detain future shipments of *Chaca Chaca* other named brands of chili-based candy from
19 Mexico, and to prevent future importation of lead contaminated candy into the United States;
20 and, be it

21 FURTHER RESOLVED, That the Board of Supervisors hereby urges the California
22 Department of Health Services to indicate the effectiveness of the consumer warning they
23 issued on March 18, 2004 as well as reporting of sellers of the *Chaca Chaca* or other named
24 brands of chili-candy reported to the CDHS' Services Complaint Hotline; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors hereby urges the Department
2 of Public Health to send an advisory to San Francisco grocers, convenience store, and liquor
3 store owners citywide, requesting the voluntary removal of all candy having been identified by
4 Federal and State agencies as potentially containing lead; and, be it,

5 FURTHER RESOLVED, That the Board of Supervisors hereby urges the Department
6 of Public Health to conduct a consumer awareness campaign publicizing the results of lead
7 testing in import candies; to distribute educational materials to schools, child care providers,
8 emergency rooms and health centers, and Women, Infant and Children centers in high-risk
9 areas.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 041757

Date Passed:

Resolution urging the United States Food and Drug Administration, the California Department of Health Services, and the San Francisco Department of Public Health to implement measures to prevent the consumption of lead tainted candy by children in San Francisco.


January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell,
McGoldrick, Peskin, Sandoval

Excused: 1 - Daly

File No. 041757

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.


for Gloria L. Young
Clerk of the Board

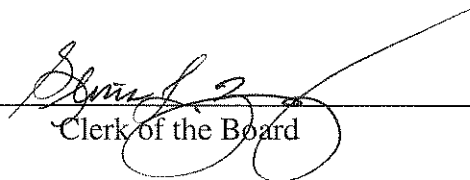
JAN 08 2005

Date Approved

Mayor Gavin Newsom

January 8, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk of the Board

File 041757