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SCHUMER: RECENT REPORTS SHOW POPULAR REUSABLE GROCERY BAGS CONTAIN DANGEROUS LEVELS OF LEAD; CALLS FOR FEDERAL AGENCIES TO BAN GROCERY BAGS WITH LEAD

Many of the Bags Are Made in China; NY Grocery Store Has Already Removed Bags; Publix and Winn Dixie Pressing Manufacturers for Safer Alternatives

Exposure to High Levels of Lead Can Damage Nervous System, Kidney Function, and Immune System Over Time

Schumer: Millions of Shoppers Use Reusable Bags Putting Food Directly in Contact with High Levels of Lead that Could Threaten the H

U.S. Senator Charles E. Schumer today called on the Food and Drug Administration (FDA), the Environmental Protection Agency (EPA) and Consumer Product Safety Commission (CPSC) to investigate and ban reusable shopping bags that contain higher than acceptable levels of lead. Many of these popular bags are manufactured in China and sold to grocery stores, who then sell them to customers. Schumer, Vice Chairman of the Joint Economic Committee, noted that while there may be no immediate danger to human health, food products come into direct contact with these bags and long-term exposure can pose serious health and environmental risks. Schumer, who has a long record fighting to make products imported from China safe for consumers and children, is asking federal agencies to investigate and ban any reusable bags sold to grocery stores and retailers that are found to have high levels of lead in them.

The problem came to light this past September when Wegmans, a supermarket chain with stores in New York and four other states, pulled a number of their reusable shopping bags that were manufactured in China after a consumer group found that they contained higher than acceptable levels of lead that could affect public health. Since that time, several other reports have shown higher than acceptable levels of lead in reusable shopping bags sold

at chain supermarkets in other states like Publix and Winn-Dixie, as well as drug stores across the country.

“When our families go to the grocery store looking for safe and healthy foods to feed their kids, the last thing they should have to worry about are toxic bags,” said Schumer. “We cannot allow manufacturers, in China or elsewhere, to sell reusable bags to grocery stores that bring our food into contact with high levels of lead. I commend Wegmans for acting so quickly and with an abundance of caution and concern for their customers, and I hope that other stores follow their lead. Federal agencies need to put a ban in place for reusable bags that have lead in them.”

Schumer has long called for cracking down on overseas manufacturers whose products contain high levels of heavy metals. Schumer was a lead sponsor of legislation that would require independent verification that Chinese children’s products didn’t contain lead, after a massive toy recall in 2007. Earlier this year, when it became known that high levels of cadmium were found in children’s jewelry from China, he worked to add cadmium to the list of banned substances.

Several recent reports show that a significant number of reusable shopping bags contained over 100 parts per million (PPM) in heavy metals. In some cases, bags contained as many as 5 times the allowable limits. The paint on lead-filled bags has the ability to peel and flake off, coming into direct contact with exposed groceries, like fruits and vegetables. Exposure to high levels of lead can damage the nervous and immune systems and impair kidney function over time. When disposed of in landfills, these bags can leak toxins into the soil and water and have the potential to create even more environmental problems.

In September, Wegmans Food Markets Inc. announced that it would be replacing 725,000 reusable shopping bags in its stores in New York, Pennsylvania, New Jersey, Virginia and Maryland. The announcement came on the heels of a report

by the Empire State Consumer Project that found that the green bags contained lead at 799 parts per million – more than double the amount allowed in children’s products by the CPSC. Currently, the CPSC allows lead in children’s products at up to 300 parts per million; next year, the limit will drop to 100 parts per million.

Schumer noted that reusable shopping bags have become an important part of consumer and grocery store efforts to reduce waste and should be promoted, but manufacturers of the bags need to ensure that the products they sell to grocery stores and retailers are safe. The Consumer Product Safety Improvement Act requires manufactures to use independent labs to test products before being sold in the U.S. Schumer called for an investigation to determine why these bags were not properly tested in accordance with the law.

“The purpose of reusable bags is to limit waste and do a better job protecting our environment,” said Schumer. “We need to make sure, however, that any reusable grocery bag sold in the United States doesn’t do more harm than good.”

A copy of Senator Schumer’s letter can be found below.

November 12, 2010

Margaret A. Hamburg, M.D., Commissioner

Food and Drug Administration

Department of Health and Human Services

10903 New Hampshire Avenue

Silver Spring, MD, 20993

Dear Dr. Hamburg:

As Vice Chairman of the Joint Economic Committee, I am responsible for directing the Congress's oversight over matters relating to the U.S. economy and consumers. In this capacity, I ask that your agency open an investigation into recent news reports that many reusable shopping bags being sold or provided in supermarkets and stores throughout the country may contain unacceptably high levels of lead and to ban the sale of any bags you find to have dangerous lead contamination.

In September 2010, Wegmans—a supermarket chain with stores in New York, Pennsylvania, New Jersey, Virginia and Maryland—immediately and commendably announced that it would stop selling certain reusable shopping bags made in China after finding high levels of lead in these bags.

Now, there are reports that Publix and Winn-Dixie—supermarket chains with stores in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Tennessee—are also asking suppliers to find ways to make reusable grocery bags with less lead after a newspaper investigation found elevated lead levels in some Florida bags.

Any situation where lead bags are coming into contact with the food being purchased by Americans needs to be immediately investigated and resolved. These bags constitute a food contact surface and because your agency is charged with protecting the public from risks of illness or death caused by food contact surfaces, I urge you to investigate the lead content of reusable shopping bags—particularly those imported from China—and to take any and all actions within your lawful authority to ensure that America's food supply is not being tainted by the bags consumers are using to bring their food home. This includes banning the sale of any bags found to contain dangerous lead levels.

In addition, to the extent that this investigation also requires cooperation and consultation with the Environmental Protection Agency and the Consumer Product Safety Commission, I ask you to work with these agencies to address this issue and have copied the heads of these agencies on this letter to ask for their cooperation as well.

I thank you for your attention to this important matter, and look forward to working with you to protect America's consumers.

Sincerely,

Charles E. Schumer

Vice Chairman

Joint Economic Committee

cc: The Honorable Lisa Jackson, Administrator, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460

The Honorable Inez Tenenbaum, Chairman, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814

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