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PRESS RELEASE

TASK FORCE FILES SUIT OVER DANGEROUS LEAD LEVELS IN TODDLER FORMULA

Napa County District Attorney Allison Haley announced today the filing of a consumer protection action against two businesses that sell toddler formula, Graceleigh and Nutraceutical, due to the discovery of dangerously-elevated lead levels in their products. The action was filed in Alameda County and jointly prosecuted by the Napa, Sonoma, Solano, Marin, Monterey, Alameda, Orange, Santa Cruz, Santa Clara, and Shasta County District Attorneys, and the California Attorney General's Office.

Testing revealed that these formulas exceed the U.S. Food and Drug Administration provisional daily intake levels for children under six, and cause lead exposures between 13 and 15 times the maximum allowable dose level under California law. The lawsuit, filed in Alameda County on June 7th, alleges that the companies' toddler formula products are "adulterated" within the meaning of California and Federal standards, that their sale constitutes an Unfair Business Practice, and that the sale of the products violated Proposition 65, the state law that requires warnings prior to exposing individuals to harmful chemicals. The lawsuit also alleges that representations of the products as "pure" and "clean," were false and misleading. The Products are: Peaceful Planet Toddler Supreme, and Sammy's Milk Free-Range Goat Milk Toddler Formula.

The lawsuit alleges that both the Peaceful Planet Toddler Supreme, and Sammy's Milk Free-Range Goat Milk Toddler Formula, are "adulterated" and should not be sold in California because they expose toddlers to lead levels in amounts that exceed the FDA's Provisional Total Tolerable Intake Level for children. Sales of these two products therefore constitute an unfair business practice under California's Unfair Competition Law. In addition, Proposition 65, approved by California voters in 1986, protects the public health by requiring businesses to warn consumers if they expose them to toxic chemicals, including lead. The lawsuit alleges that the two products cause exposures that exceed the threshold warning levels for lead under Proposition 65, and that the companies failed to warn consumers that these products would expose their children to lead.

District Attorney Allison Haley said, "Nothing is more important to our community than the health and safety of children. Napa County is joining this suit to ensure that infant formula is safe from lead and other harmful ingredients."