

# United States Senate

WASHINGTON, DC 20510

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Assistant Administrator Tracy Mehan  
US Environmental Protection Agency  
Office of Water  
1101A USEPA Headquarters  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dr. David W. Acheson  
Chief Medical Officer at  
Food and Drug Administration  
5100 Paint Branch Parkway  
College Park, MD 20740

Dear Assistant Administrator Mehan and Dr. Acheson:

We would like to applaud the recent announcement by the Food and Drug Administration (FDA) and the Environmental Protection Agency (EPA) that they will develop a joint "Mercury Fish Consumption Advisory" for women of childbearing age and young children. Collectively, we have shared a long-running concern about the health impacts of mercury and are pleased that your agencies are working together to produce a draft consumption advisory by September 30, 2003.

As you undertake this effort, we would like to call attention to a number of important research findings and key policy developments related to mercury exposure since the agencies issued fish consumption advisories for methyl-mercury in January 2001. We strongly urge you to ensure the new advisory reflects the latest science and provides adequate information for all Americans, including frequent consumers of some types of seafood and America's most sensitive populations. We anticipate that you will take this into consideration as you develop the advisory.

Consumption of some types of seafood is the most significant route of exposure for people to mercury. Mercury currently contaminates our food supply at levels that many medical professionals consider harmful. The impact on fetuses is of particular concern because fetuses receive higher doses than adults since methyl-mercury is actively pumped across the placenta. Studies consistently find higher levels of methyl-mercury in the blood of newborns than in blood samples drawn from their mothers.

Evidence is accumulating that current consumption patterns are exposing members of the general public to levels of methyl-mercury that exceed health-based standards. This exposure poses the greatest risk to women of childbearing age and children, as was noted in the latest U.S. Centers for Disease Control and Prevention data which indicating that eight percent of women of childbearing age have unsafe blood

mercury levels in their bodies. In addition, evidence is continuing to emerge linking increased risk of coronary heart disease to mercury exposure, with the publication of at least two studies.

Since 2001, national and international food safety authorities have adopted lower limits on methyl-mercury exposure and/or stronger warnings designed to help sensitive populations, particularly pregnant women and children, avoid or reduce exposure. In particular:

- The European Commission has endorsed the U.S. EPA's reference dose of 0.1  $\mu\text{g}/\text{kg}$  body weight per day for methyl-mercury as the appropriate methyl mercury exposure standard. In 2000, the U.S. National Academies' National Research Council also deemed this reference dose scientifically justifiable and generally adequate to protect most Americans.
- The Food Standards Agency of the United Kingdom (FSA) has advised pregnant and breastfeeding women, and women who intend to become pregnant, to limit their consumption of tuna to no more than two medium-size cans or one fresh tuna steak per week.
- The United Nations Environmental Programme (UNEP) Governing Council has agreed that there is sufficient evidence of significant global adverse impacts from mercury and its compounds to warrant further international action to reduce the risks to human health and the environment. It is now developing a plan to raise global awareness of the critical need to sharply reduce human exposures to mercury.
- Most recently, the Joint Food and Agriculture Organization of the United Nations and the World Health Organization Expert Committee on Food Additives (JECFA) recommend that the Provisional Tolerable Weekly Intake (PTWI) for mercury exposure in human beings be cut in half.
- Eleven states in the U.S. now currently advise pregnant women to limit their weekly consumption of canned tuna, and some states also urge women of childbearing age and children to restrict their canned tuna consumption, while others advise that "white" canned tuna has higher mercury levels than "light" tuna.

All of these efforts indicate that the public needs better information on the adverse public health effects of methyl-mercury in certain seafood products, including imports,

on public health. We encourage the agencies to consider the latest science and policy developments, as they relate to methyl-mercury, and in particular to taking consider the following actions to protect the public:

1. Issue an advisory that effectively informs the highest risk groups, including women of childbearing age, pregnant women, and children, of the maximum safe consumption levels for those seafood products that pose mercury risks.
2. Set a maximum tolerance for methyl-mercury in food that is consistent with the more protective national and international standards.
3. Regularly test seafood, including imports, to monitor compliance with this maximum tolerance level.

Once again we commend the FDA and EPA in undertaking this effort and look forward to hearing from your agencies on your progress on these actions.

Sincerely,

Felicit Leach

Frank Pullone, Jr.

Barbara Wilson

Jon Jeffords

Oliver Acheson

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