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Washington, DC 20515-6115

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May 6, 2008

Dear :

Under Rules X and XI of the Rules of the U.S. House of Representatives, the Committee on Energy and Commerce and its Subcommittee on Oversight and Investigations are investigating the use of Bisphenol A (BPA), particularly in products intended for use by infants and children.

Thank you for your response to our letter of January 17, 2008. Since that time, the National Toxicology Program has released a Draft Brief, which indicates that there is "some concern for neural and behavioral effects in fetuses, infants, and children at current human exposures." Of note is that these concerns are based on "low" level exposures, which "can cause changes in behavior and the brain, prostate gland, mammary gland, and the age at which females attain puberty." In summary, the brief states "the possibility that bisphenol A may alter human development cannot be dismissed."

In addition, according to press reports, Health Canada will officially determine that BPA is "toxic." Major retailers in Canada have already begun to remove products containing BPA from their shelves.

Given these determinations based on the available scientific data, we called on the U.S. Food and Drug Administration to reconsider their safety assessment of BPA on April 15, 2008. We believe that health risks from BPA in developing infants and children are serious enough to warrant immediate action, and we are concerned that BPA remains in the packaging of your infant formula products.

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We ask that you voluntarily remove BPA from your infant formula packaging. We believe that this measure will help protect developing infants and children from the neural, behavioral, and developmental risks of BPA. We also believe that such action will provide reassurance to concerned parents who might worry that their children will have altered prostate and mammary glands or reach early puberty simply because of their infant formula.

We ask that you respond in writing and deliver your response to the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce, Room 316, Ford House Office Building, no later than two weeks from the date of this letter. After review of your response, we may require additional records and/or staff interviews with company officers and/or employees.

Thank you for your prompt attention to this matter. If you have any questions related to this request, please contact us or have your staff contact Johns F. Sopko or Paul Jung with the Committee staff at (202) 226-2424.

Sincerely,



John D. Dingell
Chairman



Bart Stupak
Chairman
Subcommittee on Oversight and Investigations

cc: The Honorable Joe Barton, Ranking Member
Committee on Energy and Commerce

The Honorable John Shimkus, Ranking Member
Subcommittee on Oversight and Investigations