



KURT SCHMIDT
BUSINESS HEAD
NESTLÉ NUTRITION, USA

May 20, 2008

The Honorable John D. Dingell
Chairman
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bart T. Stupak
Chairman
Subcommittee on Oversight and Investigations
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Dingell and Chairman Stupak:

Thank you for your letter of May 6, 2008, in which you request additional information related to the use of bisphenol A ("BPA") in infant formula packaging.

Nestlé Nutrition is committed to providing the highest quality products to consumers. We are especially sensitive to the needs and concerns of parents with infants and small children. We constantly strive to improve our products to meet changing consumer and customer preferences and desires.

Nestlé Nutrition is moving expeditiously to find BPA-free packaging alternatives for infant formula that protect the safety and quality of our products. Once we complete the process of identifying and evaluating safe, viable alternatives, we will make our selection and seek approval by the appropriate regulatory authorities. We will then begin the process of entering into agreements with suppliers and refitting our manufacturing facilities to accommodate the new packaging.

We note that the packaging of our powdered infant formula products, which comprises more than 80 percent of the infant formula products we sell, does not contain BPA. Liquid infant formulas, including concentrated and ready-to-feed products, comprise less than 20 percent of our infant formula products. The epoxy lining of the metal cans used for liquid infant formula serves a vital purpose of protecting the safety of the product from contamination and nutrient degradation.

The trace amounts of BPA in this epoxy lining present potential exposures that are well below the tolerable daily intake (TDI) established by the European Food Safety Authority (EFSA) in February 2007.

Recent testing by Health Canada confirmed this. Canadian Health Minister Tony Clement also stated last month that “the nutritional benefits of canned infant formula far outweigh the potential risks of exposure to BPA.”¹

The U.S. Food and Drug Administration (FDA) also reiterated last week that the large body of evidence indicates that FDA-regulated products containing BPA are safe and that exposure levels to BPA from food contact materials, including for infants and children, are below those that may cause health effects.²

Nestlé Nutrition is committed to serving consumers, who have expressed concerns about the use of BPA. Nestlé Nutrition will respond to those concerns and we are committed to identifying and using safe and viable alternative packaging that is BPA free.

Breastfeeding is the ideal way to provide nutrition to an infant. But for those infants who do not receive the benefit of exclusive breastfeeding throughout the first year of life, we join with the American Academy of Pediatrics in stating that iron fortified infant formulas are the only healthy alternatives. We take the responsibility of producing these important products very seriously.

Sincerely,



Kurt Schmidt

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

The Honorable John M. Shimkus
Ranking Member
Subcommittee on Oversight and Investigations

¹ Health Canada. Press conference announcing findings of draft screening assessment for BPA. April 18, 2008.

² Plastic Additives in Consumer Products: Hearing Before the Senate Committee on Commerce, Science, and Transportation, Subcommittee on Consumer Affairs, Insurance, and Automotive Safety, 110th Cong. (May 14, 2008) (statement of Dr. Norris Alderson, Associate Commissioner for Science, Food and Drug Administration).