



# Senate

General Assembly

**File No. 214**

February Session, 2026

Substitute Senate Bill No. 118

*Senate, March 30, 2026*

The Committee on General Law reported through SEN. MARONEY of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

***AN ACT CONCERNING BABY FOOD PRODUCTS AND TOXIC HEAVY METALS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) (a) As used in this section:

2 (1) "Baby food product" (A) means any food that is (i) manufactured,  
3 packaged, labeled and sold in a container, and (ii) intended for  
4 consumption by individuals younger than two years of age, and (B)  
5 does not include infant formula, as defined in section 21a-92 of the  
6 general statutes;

7 (2) "Commissioner" means the Commissioner of Consumer  
8 Protection;

9 (3) "Consumer" means an individual residing in this state who is a  
10 purchaser, or a prospective purchaser, of a baby food product;

11 (4) "Food" has the same meaning as provided in section 21a-92 of the  
12 general statutes;

13 (5) "Person" has the same meaning as provided in section 21a-92 of  
14 the general statutes;

15 (6) "Production aggregate" means a quantity of a baby food product  
16 that is (A) intended to be uniform in composition, character and quality,  
17 and (B) produced according to a master manufacturing order;

18 (7) "Proficient laboratory" means a laboratory that (A) is accredited  
19 under International Organization for Standardization or International  
20 Electrotechnical Commission (ISO/IEC) Standard 17025:2017, as  
21 amended from time to time, (B) uses an analytical method that is as  
22 sensitive as the analytical method described in the latest edition of the  
23 federal Food and Drug Administration's "Elemental Analysis Manual  
24 for Food and Related Products", and (C) demonstrates proficiency in  
25 quantifying each toxic heavy metal concentration to at least six  
26 micrograms of the toxic heavy metal to kilogram of food through an  
27 independent proficiency test by achieving a z-score that is less than or  
28 equal to plus or minus two;

29 (8) "Quick response code" means a two-dimensional matrix barcode  
30 that consists of blocks arranged in a grid and may be read by an imaging  
31 device;

32 (9) "Representative sample" means a sample that (A) consists of  
33 several units drawn from a material based on rational criteria, including,  
34 but not limited to, random sampling, and (B) is intended to accurately  
35 represent the material from which the sample is drawn; and

36 (10) "Toxic heavy metal" includes arsenic, cadmium, lead and  
37 mercury.

38 (b) On and after January 1, 2027, no person shall manufacture, sell,  
39 distribute or offer for sale in this state any baby food product that  
40 contains a toxic heavy metal in an amount that exceeds the applicable  
41 limit established by the federal Food and Drug Administration.

42 (c) On and after January 1, 2027, the manufacturer of a baby food  
43 product manufactured in this state, or intended for sale or distribution

44 in this state, shall, not less frequently than monthly, ensure that a  
45 proficient laboratory tests a representative sample of each production  
46 aggregate of the final baby food product for the presence of toxic heavy  
47 metals. Each test may be performed before the final baby food product  
48 is packaged for distribution or sale. The manufacturer shall maintain a  
49 record of the results of each such test for not less than thirty-six months  
50 beginning on the date on which such test was performed.

51 (d) On and after January 1, 2027, the manufacturer of a baby food  
52 product manufactured in this state, or intended for sale or distribution  
53 in this state, shall make publicly available on the manufacturer's Internet  
54 web site, until thirty days after expiration of the shelf life of the final  
55 baby food product:

56 (1) The name and amount of each toxic heavy metal present in the  
57 final baby food product, as determined by way of the testing required  
58 under subsection (c) of this section;

59 (2) Information, including, but not limited to, the name of the final  
60 baby food product or the universal product code, lot number or batch  
61 number assigned to the final baby food product, that is sufficient to  
62 enable a reasonable consumer to identify the final baby food product;  
63 and

64 (3) A link to a publicly accessible web page on the federal Food and  
65 Drug Administration's Internet web site where a consumer may review  
66 current information, and said administration's current guidance,  
67 regarding the effects of toxic heavy metals on children's health.

68 (e) On and after January 1, 2027, if a baby food product is tested for a  
69 toxic heavy metal subject to an action level, regulatory limit or tolerance  
70 established by the federal Food and Drug Administration under 21 CFR  
71 109, as amended from time to time, the manufacturer of the baby food  
72 product shall display on the baby food product container:

73 (1) The following statement in a clear, legible and conspicuous  
74 manner:

75 "For Information About Toxic Element Testing On This Product, Scan  
76 the QR Code."; and

77 (2) A quick response code, or another machine-readable code, that  
78 directs consumers to a publicly accessible web page on the  
79 manufacturer's Internet web site, or to the baby food product  
80 information page, disclosing:

81 (A) The results of the testing described in this subsection; and

82 (B) The address of a publicly accessible web page on the federal Food  
83 and Drug Administration's Internet web site where a consumer may  
84 review current information, and said administration's current guidance,  
85 regarding the effects of toxic heavy metals on children's health.

86 (f) On and after January 1, 2027, if a consumer believes, based on the  
87 information provided to the consumer concerning a baby food product,  
88 that the baby food product is being sold in the state in violation of any  
89 provision of subsections (b) to (e), inclusive, of this section, the  
90 consumer may report such belief to the Commissioner of Consumer  
91 Protection in a form and manner prescribed by the commissioner. After  
92 receiving such report, the commissioner may send a notice to the  
93 manufacturer of such baby food product, in a form and manner  
94 prescribed by the commissioner, requiring such manufacturer to  
95 disclose to the commissioner the results of the testing most recently  
96 performed on such baby food product pursuant to subsection (c) of this  
97 section. The manufacturer shall disclose such results to the  
98 commissioner, in a form and manner prescribed by the commissioner,  
99 not later than sixty days after the manufacturer receives such notice.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section

**Statement of Legislative Commissioners:**

In Subsecs. (b) to (f), inclusive, "Beginning on" was changed to "On and after" for consistency with standard drafting conventions; and in Subsec. (c), provisions were redrafted for internal consistency.

**GL**      *Joint Favorable Subst.*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

---

**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill makes various requirements of baby food manufacturers and allows consumers to report violations to the Department of Consumer Protection (DCP) resulting in no fiscal impact to the state as DCP has the expertise and resources to meet the requirements of the bill.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****sSB 118*****AN ACT CONCERNING BABY FOOD PRODUCTS AND TOXIC HEAVY METALS.*****SUMMARY**

This bill, beginning January 1, 2027:

1. prohibits making, selling, or distributing a baby food product containing a toxic heavy metal (such as arsenic, cadmium, lead, and mercury) in an amount exceeding a limit set by the federal Food and Drug Administration (FDA);
2. requires manufacturers to (a) have laboratories test baby food product samples monthly for toxic heavy metals and (b) publish on their website information about the amount of each toxic heavy metal found in a baby food product and a link to FDA information on these metals;
3. requires manufacturers of baby food products tested for a toxic heavy metal that has an FDA action level, regulatory limit, or tolerance to display on the product container (see BACKGROUND) a way to access a webpage with test results and a link to FDA information on these metals; and
4. allows consumers to report violations to the Department of Consumer Protection (DCP).

Under the bill, a “baby food product” is a food, other than infant formula, made, packaged, labeled, and sold in a container for children under age two.

EFFECTIVE DATE: October 1, 2026

**TESTING**

The bill requires baby food product manufacturers that make or intend to sell or distribute the products in the state to have a laboratory test the products for toxic heavy metals at least monthly. The lab must (1) be accredited under certain standards of the International Organization for Standardization or International Electrotechnical Commission, (2) use analytical methods that satisfy the FDA's "Elemental Analysis Manual for Food and Related Products," and (3) be able to quantify each toxic heavy metal concentration to at least six micrograms out of a kilogram of food using certain scientific and statistical methods.

The lab must test a representative sample of each final product's production aggregate, which is an amount of the product made under a master manufacturing order and intended to be uniform in composition, character, and quality. The test can be performed before packaging the product for distribution or sale.

The bill requires manufacturers to keep test results for at least 36 months.

**MANUFACTURER'S REQUIRED WEBSITE POSTING**

The bill requires baby food product manufacturers to post on their website until 30 days after a product's shelf life expires:

1. the name and amount of any toxic heavy metal in the product found through testing;
2. information that allows a reasonable customer to identify the product, such as its name, universal product code, or lot or batch number; and
3. a link to the FDA's webpage with information and guidance on how toxic heavy metals affect children's health.

**PRODUCT CONTAINERS**

The bill requires the manufacturer of a baby food product tested for

a toxic heavy metal subject to an FDA action level, regulatory limit, or tolerance to include on the product container:

1. in a clear, legible, and conspicuous way: “For Information About Toxic Element Testing On This Product, Scan the QR Code” and
2. a quick response (QR) or other machine-readable code directing consumers to a page on the manufacturer’s website or the product information page with the testing results and a link to the FDA’s webpage for information and guidance on how toxic heavy metals affect children’s health.

### **CONSUMER REPORTS TO DCP**

The bill allows a consumer to report to DCP, in a way set by DCP, when the consumer believes that a product violates the bill’s provisions. In response, the bill allows DCP to require the manufacturer to produce, within 60 days of receiving a notice from DCP, the products’ most recent testing results. The manufacturer must give DCP the report in a way set by DCP.

### **BACKGROUND**

#### ***FDA Closer to Zero***

The FDA’s Closer to Zero program is examining exposure to contaminants in food eaten by babies and young children. FDA research, evaluation, and regulatory processes on lead, arsenic, cadmium, and mercury in these foods are ongoing.

In January 2025, the FDA issued industry guidance and the following action levels for lead in processed food for babies and young children:

1. 10 parts per billion (ppb) for fruits, vegetables (excluding single-ingredient root vegetables), mixtures (including grain- and meat-based mixtures), yogurts, custards, puddings, and single-ingredient meats and
2. 20 ppb for single-ingredient root vegetables and dry infant cereals.

The FDA states that action levels are a level of contamination where food may be considered adulterated and that it considers these levels along with other factors when deciding whether to bring an enforcement action.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/11/2026)