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Allergen Labeling Bill Likely to Become Law

PREPARE TO ADD ALLERGENS INFORMATION TO YOUR CANDY LABELS. Yesterday the House of Representatives passed The Food Allergen Labeling and Consumer Protection Act of 2004; the US Senate already has passed the bill. **NCA supports this legislation**, which, among other things, would continue to allow the words "may contain" on the label. The bill **will require new labels in 2006**. Visit the eCandy website for a summary of the bill.

Federal Government and State of California Express Concern About Possible Lead in Mexican Candy Products

But actions could affect all candy products - foreign or domestic

Several branches of the government, federal and in the state of California, are **pursuing possible action with regard to lead levels in candy products from Mexico**. The Food and Drug Administration issued **import alerts with regard to chili and tamarind products earlier this year and has said that it intends to lower the guideline for allowable lead for candy products, foreign or domestic**. Late last week the Consumer Product Safety Commission (CPSC) sent a letter expressing concern about lead in wrappers on confectionery from Mexico. At the California state level, some members of the California Assembly introduced legislation setting new lead levels and requiring the state to test candy products for lead content. Also, the Attorney General of California filed suit against some companies manufacturing candy in Mexico. NCA is involved with a number of groups and industry member companies in working on this issue.

New Mexican Labeling Standard for Sugar Confectionery

If you make a sugar confectionery product for the Mexican market a new labeling standard, which seems a lot like the old standard, will go into effect August 1, 2004. In 2003 Mexico proposed a separate standard for sugar confectionery, but that proposal was never finalized. **Information required** on the label under the **"new" regulation**. NOM-050. includes: **name of product**,

Great News From Illinois - State Will Not Tax Candy!

Late Friday legislative leaders in Illinois came to an agreement on their state budget that did not include a discriminatory tax on candy products! We received word about the agreement early this week at the National Conference of State Legislatures meeting in Salt Lake City from Illinois State Senator Steve Rauschenberger, who has been very involved with the budget negotiations. **He told us there were no candy taxes in the budget agreement**, which will be fine-tuned a bit and then brought before the legislature for a vote later this week. **Many thanks to the NCA members in Illinois who responded to our grassroots Action Alert on this measure and contacted their legislators and/or Chicago Mayor Richard Daley to oppose the proposed candy tax!** Your role in this victory for candy in the state is greatly appreciated.

But Texas Might Increase Taxes on Candy - Snack Taxes Floated in Texas

As part of a process to reform school finances in Texas, a tax on snack foods has been suggested to help raise revenue. While we have not seen the specifics of such a proposal, a recent snack tax bill in Texas called for **INCREASING THE EXISTING TAX ON CANDY IN THAT STATE BY ANOTHER ONE PERCENT**, further differentiating candy from other foods. Any **such negative tax treatment would obviously hurt confectioners**. We thank those NCA members with facilities in Texas that have already contacted their legislators to oppose any food taxes as part of the school financing plan. Texas will hold a special session for consideration of the issue. If you need a draft letter or further information, contact us by e-mail at steve.lodge@candyusa.org.

California Vending Restriction Bill Moving - No Candy in CA Schools?

California is still interested in restricting the sale of candy in its public schools. SB 1566, a bill that effectively would eliminate the sale of candy (but would leave beverages alone in high schools) in state schools continues to move through the legislature. This bill that would demonize candy has now been approved by the California Senate and two Assembly committees and is currently pending in the Assembly Committee on Appropriations. **NCA will submit a**

confectionery, but that proposal was never finalized. **Information required** on the label under the "new" regulation, NOM-050, includes: **name of product, quantity, name and address of manufacturer or importer, country of origin and expiration date.**

How Much Can You Put On A Label?

Now some members of Congress want you to **label the country of origin of the peanuts in your candy products.** The House Agriculture Committee will consider legislation this week, which would repeal current law's country of origin labeling mandates for covered products, including peanuts, and replace it with a voluntary program. But it is expected that an amendment to retain the mandatory country of origin labeling system for peanuts and extend it to cover macadamia nuts, peanut butter, macadamia nut butter and any other food product of which more than three percent of its **retail value is derived from peanuts or macadamia nuts contained in the product.** THIS LANGUAGE COULD SUBJECT THOSE OF YOU WITH NUT-CONTAINING CONFECTIONERY PRODUCTS TO COUNTRY OF ORIGIN LABELING. **NCA is working with a coalition of other food industry trade associations in opposition to the amendment and in support of the voluntary country of origin labeling.**

committees and is currently pending in the Assembly Committee on Appropriations. **NCA will submit a statement of opposition to the committee and send out another Action Alert to California members.** We appreciate those companies that have communicated with their legislators on this legislation.

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