

Congress of the United States
Washington, DC 20515

September 13, 2024

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human
Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

The Honorable Robert M. Califf
Commissioner of Food and Drugs
U.S. Food and Drug Administration
10903 New Hampshire Ave
Silver Spring, MD 20993

Dear Secretary Becerra and Commissioner Califf:

As members of Congress, including many members of the Congressional Hispanic Caucus, we write to urge your leadership in addressing a critical public health disparity that disproportionately impacts Latino communities.

It is a tragic fact that Hispanic women and babies in the U.S. suffer from higher rates of serious neural tube defects (NTDs) compared to other groups. These devastating birth defects, which include conditions like spina bifida and anencephaly, can cause lifelong disability or even death. Such health conditions are devastating to families and can and should be prevented whenever possible. Adequate folic acid intake before and during early pregnancy is crucial for preventing NTDs.

Corn masa flour and corn masa products like tortillas, tamales and pupusas are a key part of many Latinos' diets. Over half of Hispanic women of reproductive age report regularly consuming these foods. However, despite the FDA allowing voluntary folic acid fortification of corn masa flour since 2016, 0% of corn tortillas and just 14% of corn masa flour were fortified with folic acid in 2022. As a result, Hispanic women continue to have lower folic acid intake than their peers, putting their pregnancies at higher risk.

UnidosUS, the nation's largest Hispanic civil rights and advocacy organization, recently submitted a citizen petition to the FDA requesting a mandatory bilingual warning label on unfortified corn masa flour and corn masa products. The petition was co-signed by leading public health groups, including March of Dimes, Spina Bifida Association, MomsRising, Healthy Food America, First Focus on Children, SER National Inc., Balanced, National Association of Hispanic Federal Executives, Esperanza United, and Latino Justice PRLDEF. The proposed warning label would alert consumers in clear language in both English and Spanish when a product lacks folic acid fortification and may increase NTD risk, while incentivizing manufacturers to reformulate and fortify their products to side-step the labeling requirement.

Fortification of corn masa foods with folic acid costs mere pennies. This effort is a needed complement to the strategy recently put forward by the U.S. Department of Agriculture as part of the standards for the new food package for Women, Infants and Children, or WIC, which extends

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coverage only to fortified corn masa flour products, puts families in the unenviable position of often being unable to satisfy these reasonable requirements due to the absence of fortified foods in the marketplace.

As Secretary of Health and Human Services and as the Commissioner of the FDA, you have a powerful opportunity to help reduce this unacceptable health inequity. We urge you to prioritize the following actions:

- Act swiftly on the Citizen Petition from UnidosUS and its partners and require mandatory bilingual warning labels on unfortified corn masa products.
- Work with Congress and the Administration to identify and advance other policy solutions to increase folic acid intake among high-risk populations, such as expanding access to fortified foods and supplements through federal nutrition programs, using federal research to monitor the extent of fortification in the marketplace on an ongoing basis, and measuring community exposure to unfortified foods.
- Use your platform to raise awareness about the importance of folic acid fortification in culturally relevant foods like corn masa flour and corn masa products.

Empowering consumers with clear information in the form of a safety warning label, and expanding access to folic acid-fortified foods, are all crucial steps towards reducing preventable birth defects and promoting health equity for Latino families. We urge your leadership on this pressing issue and stand ready to work with you to drive meaningful action to support the health and wellbeing of our communities.

Thank you for your time and attention to this matter. We look forward to your reply and ongoing dialogue on this important topic for our communities and families.

Sincerely,



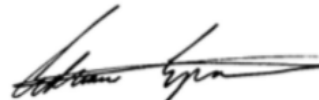
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Congressional Hispanic Caucus



Darren Soto
Vice Chair of Policy
Congressional Hispanic Caucus



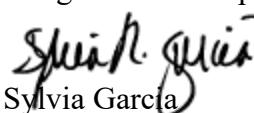
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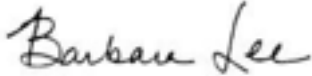
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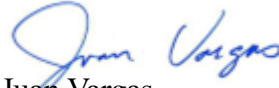
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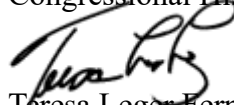
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