

From: London, Sarah [Sarah.London@vermont.gov]
Sent: Monday, July 30, 2012 1:13 PM
To: Lofy, Bill; MacLean, Alex; Allen, Susan
Subject: FW: Gov Letter 7-30-12.docx
Attachments: Gov Letter 7-30-12.docx

This is the letter re Prop 65 & maple syrup that is going to California AG, cc to congressional delegation etc today.

From: Mary-Kay Swanson [mailto:mkswanson@atg.state.vt.us]
Sent: Monday, July 30, 2012 12:31 PM
To: London, Sarah
Cc: Zamos, Diane; Swanson, Mary-Kay
Subject: Gov Letter 7-30-12.docx

PETER SHUMLIN
Governor



State of Vermont
OFFICE OF THE GOVERNOR

July 30, 2012

Kamala Harris, Attorney General
State of California
1300 "I" Street
Sacramento, CA 95814-2919

Re: Threatened Proposition 65 Lawsuit against Sellers of 100% Maple Syrup

Dear Attorney General Harris:

We write to ask for your consideration on an issue that is of profound importance to the state of Vermont. The Mateel Environmental Justice Foundation, a private group in California, wrote to your office on March 8, 2012, stating its intent to file a lawsuit under California's Proposition 65 against companies that sell 100% pure maple syrup. Mateel's lawsuit would require this natural and wholesome agricultural product to carry cancer, birth defect and other reproductive warnings. However well intentioned Mateel's motives may be, any assertion that 100% pure maple syrup requires a cancer or reproductive harm warning is simply wrong. Under your leadership, we trust that both unjustified label warnings and an unwarranted lawsuit under Proposition 65 can be avoided.

100% pure maple syrup is one of Vermont's signature agricultural products. It is completely natural and derived entirely from sap collected directly from sugar maple trees in Vermont and the adjoining northeast region. Like all products grown naturally, maple sap may contain trace amounts of minerals that are present in nature and our soils. These same highly mineralized soils give our maple trees their glorious fall colors. The University of Vermont's own Proctor Maple Research Center is a field research center focused on the sugar maple tree (*Acer saccharum* Marsh) and its products -- sap and syrup.

Today, the production of 100% maple syrup is regulated and managed to ensure contaminants are not added during processing and packing, even for those producers and handlers large enough to reach the California market. Both the FDA and the State of Vermont have regulatory action levels for lead in maple syrup. The Attorney General and the Secretary of Agriculture each have a range of legal options under state law with which to enforce regulatory standards and labeling for 100% maple syrup. It is our understanding that the 100% pure maple syrup products referenced in the Mateel threatened lawsuit have detectable levels of naturally

occurring lead that fall 50% below the current stringent regulatory standards for pure maple syrup.

The importance of maple production to the diversified agricultural and forest economies of Vermont cannot be overstated. Collecting and boiling maple sap to make syrup is part of Vermont's heritage and it remains a major economic driver for our family farms and working landscape. Simply put, Vermonters who rely on our maple syrup industry as their livelihood cannot afford costs associated with defending a lawsuit like that threatened by Mateel, no matter how confident we are that the truth would prevail.

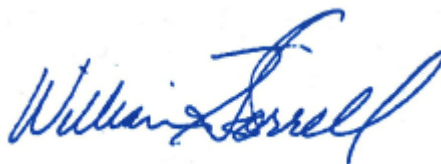
We urge you to review the issue, and conclude that these products are a safe and healthy natural alternative to sweeteners made with refined sugar or corn syrup, and they comply with the laws of California without the need for warning labels.

Please feel free to contact us if you need additional information. We look forward to hearing from you.

Sincerely,

A black ink signature of Peter Shumlin, consisting of a stylized initial 'P' followed by a long horizontal line.

Peter Shumlin
Governor

A blue ink signature of William H. Sorrell, written in a cursive style.

William H. Sorrell
Attorney General

A black ink signature of Charles R. Ross, Jr., written in a cursive style.

Charles R. Ross, Jr.
Secretary of Agriculture, Food and Markets

cc: U.S. Senator Patrick Leahy
U.S. Senator Bernie Sanders
U.S. Representative Peter Welch
Secretary Karen Ross, California Department of Food and Agriculture
Secretaries and Commissioners, Northeastern Association of State Departments of Agriculture (Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island)