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## **L.A. CITY ATTORNEY ROCKY DELGADILLO SECURES \$2 MILLION SETTLEMENT TO ELIMINATE LEAD IN MEXICAN COKE PRODUCTS**

**LOS ANGELES** – Los Angeles City Attorney Rocky Delgadillo, the City’s chief prosecutor, today announced that his office, in conjunction with California Attorney General Edmund G. Brown Jr., has reached an agreement with the Coca-Cola Company to settle a civil lawsuit alleging the company had allowed in California the sale of soft drink bottles imported from Mexico which contained lead paint in the labels - in violation of Proposition 65 health and safety standards.

The Consent Judgment approved by Judge Kenneth R. Freeman requires the Coca-Cola Company to: (1) immediately switch to lead-free paint on all its newly-made products throughout Mexico; (2) engage qualified food quality auditors to inspect all Mexican suppliers for potential sources of lead contamination; (3) phase out all existing leaded bottles throughout Mexico over five years, with reduced penalties for a quicker phase out; (4) take enforcement action to keep these products off of California shelves; (5) pay \$1,250,000 in penalties; (6) pay \$200,000 in attorneys’ fees to be divided evenly between and the Los Angeles City Attorney’s Office and the California Attorney General’s Office; (7) and make \$600,000 in charitable contributions including a \$300,000 contribution to the Los Angeles Children’s Hospital.

In recent years Coca-Cola products produced in Mexico have become increasingly popular in California because of their distinctive sugar-sweetened taste and because they are sold in distinctive “returnable” glass bottles. Testing conducted in 2005 revealed that the paint on these bottles contained between 10% and 45% lead. Consumers were at risk of being exposed to lead through hand-to-mouth-contact, and lead occasionally found its way into the soda itself.

Coca-Cola did not authorize the leaded Mexican products for sale in California, but they were widely available throughout the state. The company has since produced a lead-free Mexican product authorized for sale in California and is available at retail stores throughout California.

As a result of the lawsuit, the Company has already implemented many of the provisions of the consent judgment throughout Californian and Mexico.

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Passed overwhelmingly by California voters more than 20 years ago, Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986, is a powerful tool in state and local agencies' efforts to protect the public from toxic chemicals present in food.

Lead has been listed since 1987 on the Governor's list of chemicals that can cause reproductive harm and birth defects, and since 1992 has been on the list of chemicals known to cause cancer. Exposure to lead occurs chiefly from ingestion, such as eating or putting objects into the mouth, putting young children particularly at risk. Impacts include birth defects, learning disabilities, hearing loss, reduced attention span, and behavioral abnormalities. Teenagers also can suffer adverse effects, which include brain damage, kidney damage, hearing loss, and impaired growth.

The City Attorney and California Attorney General have also recently reached settlements with Pepsi, Dr. Pepper, and 7-Up Companies over similar allegations.

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