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Legislation Introduced to Force OSHA to Protect Workers from Diacetyl Snack Food and Flavor Industry Workers at Risk for Severe Lung Disease

Washington, DC -- Legislation introduced today in the House of Representatives would require the Occupational Safety and Health Administration (OSHA) to issue an interim standard to protect workers from occupational exposure to diacetyl, an artificial butter-flavoring chemical associated with severe lung disease, and to set a permanent standard within two years. David Michaels, PhD of the Project on Scientific Knowledge and Public Policy (SKAPP), which has been calling for diacetyl regulation for years, welcomed the proposed legislation but noted that it was indicative of serious problems at OSHA.

“Congress is getting involved because OSHA has ignored a situation in which workers in snack food and flavoring factories are dying because of an exposure to an extremely dangerous chemical,” Michaels explains. OSHA was first notified of cases of the rare and debilitating lung disease bronchiolitis obliterans at a microwave popcorn plant in 2000, and in 2002 the National Institute of Occupational Safety and Health (NIOSH) published a study linking the disease to airborne diacetyl exposure. Since then, additional epidemiological and animal studies have provided further evidence of the chemical’s role in lung disease.

Bronchiolitis obliterans is sometimes called “popcorn workers lung” because many of the first cases identified were among workers in microwave popcorn plants. Since then, additional cases have been discovered at facilities that make flavorings and other food products. Many of the victims are young, otherwise healthy nonsmokers who have been working in the facilities for just one or two years. At least five workers have already died as a result of their exposure.

For several years, SKAPP, which is based at the George Washington University School of Public Health, has been writing about the importance of controlling diacetyl exposure in academic journals and on its website www.DefendingScience.org and its public health blog *The Pump Handle* (<http://thepumphandle.wordpress.com/>).

In 2006, the United Food and Commercial workers and the International Brotherhood of Teamsters petitioned OSHA to issue an emergency temporary standard on diacetyl. SKAPP organized 42 scientists and occupational health experts to write a letter in support of the petition.

OSHA did not address diacetyl until April of 2007, when two Congressional hearings and a front-page New York Times article focused attention on the agency’s lack of action. Then, OSHA announced a National Emphasis Program for the microwave popcorn industry; however, the program does not cover flavoring and other food manufacturers or set requirements for employers.

The legislation introduced today by Representative Lynn Woolsey (D-California) would direct OSHA to issue an interim final standard within 90 days that would include measures to minimize worker exposure to diacetyl through ventilation, isolation and other engineering controls, respirators, exposure assessment, medical monitoring, and worker training. This interim standard

would remain in effect until the agency issued a final standard containing a permissible exposure limit and controlling exposure to diacetyl to the lowest feasible level; the bill requires that OSHA issue this standard within two years.

“We support this legislation because it will save lives” says Michaels. “But Congress shouldn’t have to issue a law requiring OSHA to do its job. American workers need better protection not just from diacetyl but from silica, beryllium, and hundreds of other chemicals that OSHA has failed to regulate.”

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For more information on the failure of OSHA to protect workers in the snack food industry, see: http://defendingscience.org/case_studies/A-Case-of-Regulatory-Failure-Popcorn-Workers-Lung.cfm

For background on diacetyl, see: <http://defendingscience.org/Diacetyl-Background.cfm>

For documents and studies on diacetyl and bronchiolitis obliterans among snack food and flavoring industry workers, see: http://defendingscience.org/case_studies/Documents-for-Popcorn-Workers-Lung.cfm

For blog containing information about worker and consumer exposures, see: <http://thepumphandle.wordpress.com/tag/flavoring-workers-lung/>

For the press release from the House Committee on Education and Labor, see: http://www.house.gov/apps/list/speech/edlabor_dem/rel061307.html