

# AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS



815 SIXTEENTH STREET, N.W.  
WASHINGTON, D.C. 20006

**JOHN J. SWEENEY**  
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**RICHARD L. TRUMKA**  
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**LINDA CHAVEZ-THOMPSON**  
EXECUTIVE VICE-PRESIDENT

## **LEGISLATIVE ALERT!**

(202) 637-5090

September 24, 2007

Dear Representative:

On behalf of the AFL-CIO, I am writing to urge you to support the Popcorn Lung Disease Prevention Act (H.R. 2693), which the House is scheduled to vote on this week.

H.R. 2693 would protect workers from developing a debilitating, deadly, lung disease – commonly referred to as “popcorn lung” – caused by exposure to diacetyl, a flavoring chemical used in microwave popcorn and other foods. Congressional action is urgently needed because the Occupational Safety and Health Administration (OSHA) has failed to take action to protect workers from this serious workplace hazard.

Since the late 1990s, the National Institute for Occupational Safety and Health (NIOSH) has identified scores of cases of “popcorn lung” (*bronchiolitis obliterans*) among workers at popcorn plants and flavor manufacturing plants who have been exposed to the artificial butter flavoring chemical diacetyl. This disease causes severe airways obstruction and reduced breathing capacity and has caused the death of several workers. Many of the cases have occurred among younger workers after only one to two years of exposure. A new scientific study published earlier this month found this same rare lung disease in workers who manufacture diacetyl. Recently, concern about exposure to diacetyl was heightened when a consumer of microwave popcorn was diagnosed with popcorn lung.

In response to outbreaks of this rare respiratory disease, NIOSH and the Flavoring and Extract Manufacturers Association (FEMA) have recommended a series of strict workplace controls to reduce worker exposure to diacetyl and other flavoring chemicals in the microwave popcorn and flavoring industries. These controls include ventilation, enclosed systems, appropriate respiratory protection, education, exposure monitoring, and health monitoring for workers. The new scientific and medical reports have led to recommendations to minimize all exposure of workers to diacetyl. Even though some popcorn manufacturers have announced that they intend to substitute a different flavoring agent for diacetyl, diacetyl remains in widespread use as a flavoring agent in the food and baking industries.

Despite wide recognition of this significant worker health problem, OSHA has refused to take action to protect workers from the hazards of diacetyl. There is currently no OSHA standard for this chemical, and OSHA has failed to respond to a petition for emergency action filed by unions and occupational health experts more than a year ago. In July 2007, OSHA initiated a special emphasis program in microwave popcorn facilities, but has conducted few visits. Moreover, the agency has taken no action to address diacetyl exposure in the flavoring or food industries. In the meantime, workers continue to be exposed, and new cases of popcorn lung continue to occur.

H.R. 2693 is urgently needed to protect workers from developing this devastating lung disease. The bill would require OSHA to issue an interim standard within 90 days to protect workers in the popcorn manufacturing and flavoring industries from diacetyl exposure by implementing NIOSH-recommended control measures and related health surveillance and education measures. H.R. 2693 would require OSHA to issue within two years a final standard that sets a permissible exposure limit for diacetyl applicable to all facilities where diacetyl is processed or used.

H.R. 2693 is based on sound scientific evidence, and would codify the recommendations outlined by NIOSH and the flavoring industry for protecting workers from diacetyl. It is supported by the American Industrial Hygiene Association, the American Society of Safety Engineers, the American College of Occupational and Environmental Medicine, the Flavor and Extract Manufacturers Association, leading occupational health professionals, the AFL-CIO, and unions representing workers in the food industry.

I urge you to vote for the Popcorn Lung Disease Prevention Act to protect workers from exposure to diacetyl and from the deadly lung disease caused by exposure to this hazardous chemical.

Sincerely,

A handwritten signature in black ink, appearing to read "William Samuel", written in a cursive style.

William Samuel, Director  
DEPARTMENT OF LEGISLATION