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Food plant safety faulted

Worker lung disease linked to additive.

By Chris Bowman -- Bee Staff Writer

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The nation's two largest food-industry unions are urging the Bush administration to issue an emergency order restricting workers' exposure to lung-destroying fumes from a butter-flavoring chemical used in everything from pastries to popcorn.

The United Food and Commercial Workers International Union and the International Brotherhood of Teamsters plan to petition Labor Secretary Elaine Chao today to immediately impose safety standards in flavoring factories and in the facilities of hundreds of food-processing companies, from bakeries to beverage plants.

The urgency stems from the recent discovery of a life-threatening disease among former workers of flavoring factories, including two in Southern California, and a backdrop of dozens of similarly disabled workers who inhaled the buttery vapors at microwave popcorn plants in the Midwest.

Three are known to have died from the disease, and several are candidates for double-lung transplants, according to the National Institute for Occupational Safety and Health.

Consumers are not at risk, doctors say, because the concentrations of flavoring chemicals in the final products are much lower than those found in factories where they are made or added to food.

Union officials, backed by several public health experts, are concerned that others among the estimated 3,700 workers in flavoring plants are unknowingly endangered and unprotected, and that the danger may extend to the 500,000 workers on snack-food production lines.

"This is a broader problem than just flavoring plants and popcorn factories," said Jackie Nowell, health and safety director for the food workers union.

Relatively few of these food-processing and flavoring workers are unionized. Many of the estimated hundreds in California flavoring plants are immigrants and speak primarily Spanish.

"Who is looking out for them?" Nowell said.

Forty leading experts in occupational and public health have endorsed the labor unions' petition.

"This is clearly something that could have been prevented, and the cause is still out there," said Dr. Philip Harber, a lung disease specialist at UCLA who is treating the two known California victims.

The disease is called bronchiolitis obliterans, a rare condition that literally obliterates the

bronchioles. Those are the crucial airways branching like twigs at the ends of the respiratory tree, where oxygen enters the blood.

Officials with the federal Occupational Health and Safety Administration, the enforcement arm of the Labor Department, declined to comment directly on the petition Tuesday, saying only that they are "evaluating the need for specific workplace protections for exposure to these (artificial flavoring) components."

California job safety regulators said the link between the butter-flavoring chemical and workers' lung damage is strong enough to warrant regulation.

"It's certainly a discussion that needs to happen," said Len Welsh, acting director of the California Occupational Safety and Health Administration.

Welsh said Tuesday he will propose a regulation similar to the unions' proposed "permissible exposure limit" for the butter-mimicking chemical, called diacetyl.

Meanwhile, the majority of the estimated 25 flavoring companies operating in California are "voluntarily" examining workers' health and inspecting their plants in exchange for avoiding Cal-OSHA inspections and possible citations, Welsh said.

Under the arrangement formalized in May, the companies must share the results with regulators and allow enforcers to visit their operations to ensure protections are in place.

"We're not leaving it to industry to police itself," Welsh said.

"We're going to be getting into every one of those plants ourselves."

The first California victim, reported in 2004, is a young father of two who worked as a mixer at Mission Flavors & Fragrances near Mission Viejo in Orange County.

Cal-OSHA fined Mission Flavors \$45,575 in January 2005 for several violations, including "failure to report illness," and found that the worker "became ill because employer failed to implement proper controls and respiratory equipment," agency records show.

The company is appealing the enforcement action.

The other California victim is a mother of three in her early 40s who mixed flavoring components at Carmi Flavor & Fragrance near Los Angeles.

Cal-OSHA enforcers are still investigating the company, and federal health officials are examining current and former workers.

A flavoring trade group spokesman said his member companies support an OSHA limit for diacetyl, a naturally occurring chemical in butter and other foods that is synthesized and highly concentrated for economy.

The industry had viewed the diacetyl-lung disease link as an open question until the second California victim surfaced in May, said John Hallagan, an attorney for the 120-member Flavor and Extract Manufacturers Association.

But, now, Hallagan said, "this issue needs to be reviewed again, and that's what we plan to do."

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