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January 10, 2008

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VIA FACSIMILE – 202-245-0628

Dr. John Howard
Director
National Institute for Occupational Safety and Health
395 E Street, SW, Suite 9200
Patriots Plaza Building
Washington, DC 20201

Dear Dr. Howard:

We are writing to request that the National Institute for Occupational Safety and Health conduct a systematic evaluation of 1) where diacetyl-containing flavorings are being used; 2) the industries and operations where workers are being exposed; and 3) health effects that workers may be suffering. The information gathered in such an evaluation is essential to prevent future outbreaks of bronchiolitis obliterans and to safeguard workers in a wide range of workplaces that manufacture and use synthetic butter flavorings.

As you are aware, the *Seattle Post Intelligencer* recently conducted and published a study showing that short order cooks have a potential for exposures to diacetyl that potentially pose hazardous workplace levels. According to the *Intelligencer* article:

the amount of artificial butter flavoring released could result in exposures for professional cooks at levels that are as high or higher than some severely ill workers at a Jasper, Mo., popcorn plant were exposed to in their eight-hour shift.

The article quotes Bureau of Labor Statistics estimates that there are about 3.7 million cooks of all types and another 2.5 million other kitchen workers in food preparation.

Critical studies conducted by NIOSH and other researchers over the past several years have shown that workers are suffering health effects in microwave popcorn and food flavoring facilities. Diacetyl-containing products are also being used in food production where exposures are likely occurring, and the Seattle P-I study indicates a potential risk in restaurants as well.

It is therefore essential that NIOSH conduct a comprehensive survey be conducted of all locations where diacetyl-containing flavorings may be used in order to assess potential exposure

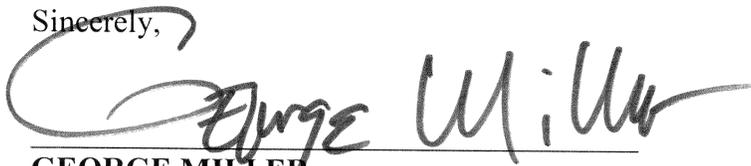
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and health effects that may result from exposure to flavoring products containing diacetyl, particularly where they are used in high volume. Such a study may include a survey of death certificates and provider reporting systems where they exist.

It has now been over seven years since the first reports of diacetyl-related illness have surfaced in microwave popcorn workers. Since that time, we have become aware of more workers being exposed and made ill in a variety of industries. It is urgent that we finally determine the national scope of exposure and illness related to diacetyl containing food flavoring.

We look forward to your timely response to this request.

Sincerely,



GEORGE MILLER

Chairman



LYNN WOOLSEY

Chairwoman, Subcommittee on Workforce Protections



ROSA DELAURO

Chairwoman, Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies