



July 13, 2007

The Honorable Lynn C. Woolsey
Chairwoman
Subcommittee on Workforce Protections
Committee on Education and Labor
U.S. House of Representatives
2181 Rayburn House Office Building
Washington, DC 20515-6100

RE: HR 2693

Dear Chairwoman Woolsey:

The American Industrial Hygiene Association (AIHA) would like to take this opportunity to provide comments on your legislation, HR 2693, a bill that would direct the Occupational Safety and Health Administration (OSHA) to issue a standard regulating worker exposure to diacetyl.

The issue of protecting workers from the hazards associated with diacetyl has been debated for several years, beginning back in 2000 when the National Institute for Occupational Safety and Health first investigated a popcorn plant and issued a report explaining that there was a strong relationship between the estimated cumulative exposure to diacetyl and the excess rate of lung disease. However, the agency noted that “at this time, insufficient data exist on which to base workplace exposure standards or recommended exposure limits for butter flavorings” containing diacetyl.

This lack of “sufficient data” is, we believe, one of the reasons we are still facing this health risk today, nearly seven years later. HR 2693 would force OSHA to address the issue in a way that is much more aggressive than OSHA’s current activities on the issue – that of initiating a National Emphasis Program (NEP) to address the hazards and control measures associated with working in the microwave popcorn industry where butter flavorings containing diacetyl are used. It is also clear from OSHA’s initiation of this NEP that OSHA recognizes there is a problem.

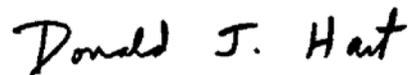
There is a need for actions that will prevent additional health effects from hazardous exposures to diacetyl and other intermediaries found in the manufacture of butter flavorings. However, it must be noted that a single chemical or chemical class standard will only address one small set of hazardous exposures without addressing the much larger number of different chemicals that contribute hazardous exposures to workers around the country.

One solution would be to implement an efficient and generic comprehensive exposure assessment standard that creates a systematic and sustainable approach to evaluating and controlling hazardous exposures in the workplace. The generic exposure assessment and control standard would serve as a foundation that outlines efficient methods for assessing and managing all hazardous exposures.

As you move forward with this legislation, please keep in mind the many obstacles faced by OSHA in establishing occupational exposure limits and guidelines; perhaps the main reason we are addressing the issue of diacetyl through legislative action. It appears more likely than ever that the difficulty faced by OSHA in updating permissible exposure limits (not only for diacetyl but the hundreds of others chemicals) can only be solved by some sort of Congressional action. It is our hope that HR 2693 will be the starting point for further debate and action on diacetyl and the broader problem of permissible exposure limits. We support HR 2693 and your efforts.

AIHA, as the premier association of occupational and environmental health and safety professionals is prepared to assist you, OSHA and others in this effort.

Sincerely,

A handwritten signature in black ink that reads "Donald J. Hart". The signature is written in a cursive, slightly slanted style.

Donald J. Hart, PhD, CIH
AIHA President

cc: AIHA Board of Directors
Steven Davis, AIHA Executive Director
Aaron Tripler, AIHA Director Government Affairs