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**U.S. Secretary of Labor Hilda L. Solis announces convening of rulemaking panel on worker exposure to food flavorings containing diacetyl**

**WASHINGTON** – Secretary of Labor Hilda L. Solis today announced that the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) will convene a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel May 5 on a draft proposed rule on occupational exposure to diacetyl and food flavorings containing diacetyl.

The SBREFA allows for small businesses that may be affected by a proposed rule to review the proposal and provide comments before an agency publishes it in the *Federal Register*. The SBREFA panel, comprised of OSHA, the Small Business Administration's Office of Advocacy and the Office of Management and Budget's Office of Information and Regulatory Affairs, reviews the draft proposed rule and supporting economic analyses, appoints small entity representatives (SERs) to provide comments and prepares a report on the SERs' comments and recommendations.

"The goal of the process is to develop recommendations designed to assure accuracy of the supporting analyses and to identify alternatives that may reduce the burden on small businesses," said Secretary Solis. Last month, she withdrew an Advance Notice of Proposed Rulemaking to facilitate timely development of a standard to protect workers from bronchiolitis obliterans, a serious and potentially fatal lung disease associated with exposure to diacetyl.

"I am alarmed that workers exposed to food flavorings containing diacetyl may continue to be at risk of developing a potentially fatal lung disease. Exposure to this harmful chemical already has been linked to the deaths of at least three workers," said Solis. "These deaths are preventable, and it is imperative that the Labor Department move quickly to address these hazards."

Solis' interest in this issue began when she was a member of Congress and workers in her former California district developed irreversible lung disease after being exposed to this workplace hazard. At one time, she urged OSHA to issue an emergency temporary standard to protect these workers.

Once OSHA convenes the SBREFA process, the panel will meet with the SERs to obtain their recommendations. The panel must complete the process and submit its final report within 60 days after being convened. Materials provided to the SERs have been placed in Docket Number OSHA-2008-0046, which is available at <http://www.regulations.gov>. OSHA also will put the panel's final report in that docket.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing a safe and healthful workplace for their workers. OSHA's role is to promote the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health.