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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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September 19, 2007

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Mr. Gary Rodkin
Chief Executive Officer
ConAgra Foods, Inc.
1 ConAgra Dr.
Omaha, NE 68102-5001

Dear Mr. Rodkin:

On September 5, ConAgra announced that it plans to remove diacetyl from its microwave popcorn within the next year. Recent evidence suggests that the chemical diacetyl, an artificial flavoring used in microwave popcorn and other foods, may pose serious health risks to consumers. In a case publicized in recent weeks, a severe lung condition known as *bronchiolitis obliterans* was linked to the preparation and consumption of microwave popcorn.¹ Other makers of microwave popcorn have taken similar steps to remove diacetyl from their products in recent days.²

The case highlighted in recent media reports and reported to the Food and Drug Administration (FDA) does not establish a causal relationship between consumption of microwave popcorn and *bronchiolitis obliterans*, but it does suggest a link.³ Unfortunately, very little is known about the risks to consumers from inhaling diacetyl during preparation and consumption of microwave popcorn or other foods. While extensive research has shown the

¹ *That Buttery Aroma Might Be Toxic, Too*, Seattle Post-Intelligencer (Aug. 30, 2007).

² *Microwave Popcorn to Omit a Risky Chemical*, Associated Press (Sept. 6, 2007).

³ Letter from Cecile Rose, Acting Head, Division of Environmental and Occupational Health Sciences, National Jewish Medical and Research Center, to Michael Landa, Deputy Commissioner for Regulatory Affairs, Office of the Center Director, Center for Food Safety and Applied Nutrition, FDA (July 18, 2007). Dr. Rose concluded: "It is difficult to make a causal connection based on a single case report. We cannot be sure that this patient's exposure to butter flavored microwave popcorn from daily heavy preparation has caused his lung disease. However, we have no other plausible explanation."

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damage caused to flavorings plant workers from occupational exposure to diacetyl, no similar research has been made public with respect to the risks for consumers.⁴

It appears, however, that ConAgra and possibly others in the flavorings industry have conducted extensive research into the emissions of diacetyl from microwave popcorn and the associated health risks. For example, in a 2004 letter to researchers at the Environmental Protection Agency (EPA), ConAgra stated that it had retained consultants to study the chemicals emitted from microwave popcorn and even “formed a panel of experts that developed a Consumer Exposure Risk Index to address the potential health concerns of the identified migrants.”⁵ Earlier this week, a spokesperson reaffirmed that ConAgra has been “looking at the diacetyl issue very seriously over the years.”⁶

The lung disease that is caused by exposure to diacetyl is nothing short of cruel—it robs sufferers of their lungs and even their lives. Right now, consumers—and the public health professionals who seek to protect them—do not know what risk they face from exposure to diacetyl through everyday food preparation and consumption. It appears that EPA knows what amounts of diacetyl are emitted from microwave popcorn, and it appears that ConAgra and possibly other companies in the flavorings industry have conducted research into the health risks of diacetyl.⁷ We think the public deserves to find out what EPA, ConAgra, and other companies already know.

As a first step, we ask that you make your company’s scientists and senior staff available to discuss ConAgra’s actions in this area, including the company’s research, if any, on the health risks of diacetyl, its decision to remove diacetyl from its popcorn, and its communications with EPA or FDA regarding the health risks of diacetyl to consumers.

⁴ The Environmental Protection Agency has conducted research into the air emissions of microwave popcorn. Although the study apparently concluded in 2005, the results of the study have not been published. *That Buttery Aroma Might Be Toxic, Too*, Seattle Post-Intelligencer (Aug. 30, 2007).

⁵ Letter from Pat Verduin, ConAgra Foods, Inc., to Paul Gilman, Assistant Administrator for the Office of Research and Development, EPA (Nov. 29, 2004).

⁶ *That Buttery Aroma Might Be Toxic, Too*, Seattle Post-Intelligencer (Aug. 30, 2007).

⁷ Letter from Pat Verduin, ConAgra Foods, Inc., to Paul Gilman, Assistant Administrator for the Office of Research and Development, EPA (Nov. 29, 2004).

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We would appreciate your prompt attention to this request. Please contact Robin Appleberry of the Oversight Committee staff at (202) 225-5056 or Ken Jacobson of the Science and Technology Committee, Investigations and Oversight Subcommittee staff at (202) 226-3096 no later than Friday, September 21, 2007, to schedule a briefing.

Sincerely,



Henry A. Waxman
Chairman
Committee on Oversight and
Government Reform



Brad Miller
Chairman
Subcommittee on Investigations
and Oversight, Committee on
Science and Technology

cc: Tom Davis
Ranking Minority Member