Hazard Communication Written Program

29 CFR 1910.1200

This is a sample written program, and should be used as such. Its intended usage is to serve only as a convenient guide for obtaining compliance with the applicable OSHA standard. It should be expanded, personalized, and tailored to your company, place of business, or worksite.

This publication does not itself alter or determine compliance responsibilities, which are set forth in OSHA standards themselves and in the Occupational Safety and Health Act. Moreover, because interpretations and enforcement policy may change over time, for additional guidance on OSHA Compliance requirements, the reader should consult current administrative interpretations and decisions by the Occupation Safety and Health Review commission and the Courts.

Sample written programs are produced by INSafe, a division of the Indiana Department of Labor which provides consultation and education services at no cost to Hoosier employers. For more information, visit <http://in.gov/dol/insafe>. You may contact INSafe by emailing [insafe@dol.in.gov](mailto:insafe@dol.in.gov) or reach an INSafe consultant by calling (317) 232-2688.



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**Hazard Communication Program**

*(employer name)*

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# Introduction

**A.** **Statement of Need**

The two needs why this company will implement a Hazard Communication Program (HC program) are:

1. The employer must comply with the Federal OSHA standard 29 CFR 1910.1200 revised 2012) (general industry) or 29 CFR 1926.59 (revised 2012) (construction).

2. A HC program will assist the company in achieving our overall goal of a safer work place.

**B. Anticipated Benefits**

Several benefits are anticipated with the implementation of the Hazard Communication Program.

1. Prevention of chemical related illnesses and injuries.

2. Overall improvement of the company safety program.

3. Improvement of employer-employee relations by establishing regular lines of communications.

4. Avoidance of OSHA citations, violations, and related problems.

**C. Program Administrator:**

*(job title)*

**D. Location(s) and contact person(s) for the written program**

Location(s): *(each work site location)*

Contact person(s): *(job title)*

Telephone number of contact person: *(area code/ number)*

**E.** A guide for ensuring compliance with OSHA standards can be found in Appendix D.

**F. Warning**

Chemicals will not be used until the following requirements are met:

1. All affected employees are properly trained to use the chemicals; and

2. A material safety data sheet (MSDS) or a safety data sheet (SDS) is obtained for each chemical; and

3. Each chemical is added to the inventory list (Appendix A); and

4. Proper personal protective equipment has been selected and issued to affected employees.

Chemicals which do not meet the four requirements will be stored at *(site storage location)* and marked "Do Not Use Until Hazard Communication and Personal Protective Equipment Requirements are met by the Hazard Communication Program Administrator”.

# I. Purpose

The purpose of the Hazard Communication Program is to ensure that the hazards of chemicals located in the plant are evaluated and that information concerning physical and health hazards is transmitted to potentially exposed employees. It is not only the intent of the employer to fully comply with the OSHA Standard 1910.1200 (revised 2012) and/or 1926.59 (revised 2012), but also to improve the overall safety of our company. A successful Hazard Communication Program will reduce potential incidents of chemical source illnesses and injuries.

# II. Authority

The Hazard Communication Program is required by the Indiana Occupational Safety and Health Administration, pursuant to 29 CFR 1910.1200 (revised 2012) and/or 29 CFR 1926.59 (revised 2012).

# III. Summary

The passage of OSHA's Hazard Communication Standard gives the employer the responsibility to establish a written, comprehensive program which includes provisions for container labeling, Safety Data Sheets, and employee information and training. The written program must contain a list of the hazardous chemical(s) in each work area, the means used to inform employees of hazards of non-routine tasks, the hazards associated with chemicals contained in unlabeled pipes in their work area, and methods used to inform contractors in the facilities of chemical hazards to which they may be exposed.

The written Hazard Communication Program outlines the plan to establish the objectives of the standard. Each objective will be defined and discussed in this document. Additionally, this written program shall be reviewed during employee training.

The written plan will be reviewed every *(period of time in months or years)* for accuracy and completeness.

The written plan and its elements will be updated in the following situations:

1. New chemicals are introduced into the workplace.

2. When new processes involving chemicals are introduced.

3. When program job duties are changed.

4. When locations mentioned in the program are changed.

5. When any other elements are changed.

A record of the last change which includes the date and change will be recorded, and kept with this program by the hazard communication program administrator.

## A. Objective 1 - List of chemicals

The *(job title)*  is required to maintain, and update the list of chemicals purchased or used by this facility.

The *(job title)*  is required to maintain, and update the hazard communication program list of chemicals.

The list can be found in Appendix A of this program.

Other locations of the list are: *(other site locations, if applicable)*

Procedure for chemical list update:

1. The chemical list employee will have a chemical list on file. New chemical products will be immediately reported to this employee by the purchase or use list employee.

2. As new chemicals are purchased, the chemical list employee will record chemical(s) on the list. Changes in the list will be noted on the hazard communication program list form (see Appendix A).

## B. Objective 2 - Safety Data Sheets (SDS)

Employee in charge of SDS acquisition:

*(job title)*

Safety Data Sheets are the keystone to a successful hazard communication program. SDS are designed to provide the information needed to handle chemicals safely. They provide the necessary information for training, hazard evaluation, proper handling, emergency procedures, and employee personal protective equipment.

The following procedures will be implemented to ensure that the employer maintains a SDS for all chemicals identified on the hazard communication chemical list and the chemical purchase list.

1. Chemical manufacturers, importers, or distributors supplying the employer with products are required by law to send SDS with the first shipment. As SDSs are checked off against the chemical inventory, missing SDSs should be requested first by telephone from the manufacturer, importer or distributor of the chemical. A written record of the phone call, including the name of the contact person should be placed in a special file.

If the telephone request is not successful, a formal letter should be written to request the SDS. A copy should be placed in the special file. A sample form letter can be found in Appendix E.

2. The SDS employee will document all attempts to obtain all SDSs.

3. The *(job title)* will require a SDS for each new chemical purchased, as well as updated SDSs for existing chemicals. This requirement will be indicated on all purchase orders.

4. If it is not possible to obtain a SDS for a chemical, the following action will need to be taken by the SDS acquisition employee:

Contact *(job title)* about using a new, or alternate chemical which has an available SDS.

5. SDSs for chemicals which are part of an employee exposure record, but no longer used shall be filed by the SDS acquisition employee. An exposure record concerns information when an employee is exposed to a chemical. A more complete definition can be found in 29 CFR 1910.1020 (c)(8) and (10).

If the SDS was involved with an employee exposure record, the SDS must be handled in one of the following methods:

a. Kept in an "old SDS/MSDS" file with a reference to the exposure record; or

b. Kept with the exposure record with a reference, or copy in the "old SDS/MSDS" file.

Old SDS/MSDSs linked to an exposure record must be maintained for at least 30 years.

SDS/MSDs for chemicals no longer used, and not linked to an employee exposure record will be maintained in one of two ways:

- Place the old SDS/MSDS in a special "old SDS" file; or

- Make a record of the SDS and maintain it for 30 years (as per 1910.1020 (d)(1)(ii)(B) and referenced by 1926.33) with the following information:

> Identity (chemical name if known)

> Where used (site and building)

> When used

6. A glossary of SDS terms will be available in the *(site location)* , and will be a training discussion item.

7. Updated SDSs and new SDSs will be immediately placed in binders in *(site location(s))* or in the site or corporate computer system.

8. The employer will rely on each chemical manufacturer's testing and hazard evaluation of chemical products used throughout the facility. The SDS acquisition and SDS purchase request employees will ensure that SDSs are supplied, and that information contained on all SDSs is complete.

## C. Objective 3 - Labeling

**Hazard Labeling Administrator:** *(job title)*

The hazard labeling administrator will ensure proper labeling of primary and secondary containers.

1. The employer will rely heavily on chemical suppliers to provide labeling on the products used in the facilities that meets the requirements of 29 CFR 1910.1200 (f), or 1926.59 (revised 2012). There are three basic requirements of this section:

a. Identity of the chemical

b. Appropriate hazard warning - including target organs

c. Name and address of the chemical manufacturer

2. Shipped and purchased containers

With the arrival of each chemical the *(job title)* will check all containers to ensure that all labels meet Global Harmonization System (GHS) requirements. The employer will not accept improperly labeled containers. If there is a problem with a container, the SDS acquisition and SDS purchase employees should be immediately notified. They will check the program chemical list and the chemical purchase list to ensure that the proper SDSs and labels have been received and updated for the product.

3. Secondary container labeling

Secondary containers of chemicals should be marked in the following situations:

a. More than one employee uses the container; or

b. The container is used longer than one shift, or left in a work area.

If one employee uses the chemical without exposing others, and either returns the contents to the original container, or disposes of the rest of it, labeling of the secondary container is not necessary.

The secondary label should contain the following information which can be obtained from the original container, or the SDS:

- Identity of the chemical as specified on the SDS

- Hazard warning - physical hazard or illness

- Target organ of the body

The hazard labeling administrator will provide secondary container labels, and make sure that they are properly marked. The hazard labeling administrator will also develop special methods of identification where needed such as process vessels or batch processes.

## D. Objective 4 - Employee training

**Employee hazard communication training administrator:**

*(job title)*

The Hazard Communication Standard requires the employer to provide exposed employees with information and training on the following subjects:

**1.** **Information:**

> Requirements of the standard; and

> Operations in the work area where hazardous chemicals are present; and

> Location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and Safety Data Sheets required by the standard.

**2.** **Training:**

> Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area

(such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.); and

> The physical and health hazards of the chemicals in the work area; and

> The measure employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used; and

>The details of the hazard communication program developed by the employer, including an explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information.

The *(job title)* will provide training to employees in the following situations:

- Prior to working with a chemical.

- When job duties change with exposure to new chemicals.

- When new chemicals are introduced into the workplace.

- When job duties change which require special training for a special process with a chemical.

The methods of training are specified in Appendix Bof this program.

The training records will contain the following information:

- Date of training

- Name and job title of trainer

- Names of the trainees

- Training topics

- Any other information to document the validity of the training. Example: credentials of an outside trainer.

The training records form can be found in Appendix C of this written program.

The training records can be found in *(site location)* by contacting the *(job title)* .

A special publication, "Steps to an Effective Hazard Communication Program for Employers That Use Hazardous Chemicals" can be found in Appendix D of this program. This program explains in detail the intent of the Hazard Communication standard.

## E. Objective 5 - Procedures to assess hazards of non-routine tasks

**Hazard Communication non-routine task administrator:**

*(job title)*

Non-routine tasks are those tasks which do not occur on a frequent basis or those tasks which are not identified as a normal production task. However, many of the tasks required of the maintenance employees will be evaluated on a case-by-case basis to determine if they are to be considered a non-routine task.

The *(job title)* should be consulted about non-routine tasks.

The **hazard communication trainer** will train employees about the chemical hazards of non-routine tasks.

## F. Objective 6 - Work performed by outside contractors

1. The *(job title)* will provide contractors with a list of chemicals used in the work area(s). The contractors will also be provided with copies, or the location of the facility SDSs.

2. The *(job title)* will find out what chemicals are being brought into the facility by outside contractors. Copies of the SDSs, or location of the contractors' SDSs will be obtained.

## G. Objective 7 - Non-labeled pipes

The *(job title)* will provide special employee education and training for employees who may be involved with work on pipes and piping systems which carry chemicals.

## H. Multi-employer Worksites (construction)

1.At multi-employer worksites the *(job title)* will offer to the site general contractor or site safety director at *(physical site or address)*  the copies of the following elements of the *(employer name)* hazard communication program:

a. The list of chemicals at the site.

b. All SDS sheets used at the site.

c. The physical location of the employer's HC program at the worksite: *(address or physical location and building or trailer)*

d. The name of the employers' Hazard Communication Program Administrator at the worksite: *(name and job title)*

e. The site phone number of the employer's Hazard Communication Program Administrator: *(area code / number)*

2. Exposure to chemicals from other employers at the multi-employer worksite:

The *(employer name)*’s Hazard Communication Program Administrator at the site will contact the following personnel to obtain information about chemicals other employers are using which affect employees at the site:

a. Site general contractor Hazard Communication Program Administrator; or

b. Site Safety Director; or

c. Hazard Communication Program Administrator(s) of the other employers.

The Hazard Communication Program Administrator will obtain the following information from the site general contractor, site safety director or other hazard communication program administrator(s):

a. A list of site chemicals for each employer to which the employees are exposed; and

b. Copies of SDS sheets for chemicals to which the employees are exposed.

The SDS sheets and lists should be marked to indicate the employer source.

The Hazard Communication Program Administrator will use the information obtained from the other employers to provide additional training, update the site written hazard program for employees, and ensure that other elements of the program are updated for the exposed employees.

# Hazard Communication Training Program

**Hazard Communication Training Administrator**

*(job title)*

**1.** The employer falls into an industrial or construction category where OSHA regulations require four basic needs for hazard communication:

a. A written hazard communication program.

b. Safety Data Sheets on each chemical.

c. Label all chemical containers.

d. Train employees about hazards of the chemicals they use.

**2.** Some employees work with or near hazardous chemicals, and the company wants those employees to be aware of this and the protective equipment use which may include face shields, glasses, splash goggles, respirators, gloves, rubber boots, full-body suits, aprons, or maybe only one or two of the above. Then in case of accident, the company wants the employees to know what to do to protect themselves from these hazardous chemicals.

Special training and hazard assessment for the use of personal protective equipment will be conducted as specified in 29 CFR 1910.132 through 138.

**3.** Many of you do not work with hazardous chemicals. Nevertheless, your company wants to advise you about chemicals used by the company. Also, this information may be helpful in the use of chemicals in your homes, and in your yards and gardens. There are many hazardous chemicals used in the home.

**4.** SDS stands for Safety Data Sheets. If you aren't a chemist, there will be much on this data sheet that you won't understand. We're not chemists and some of this data is new to us. There are parts we do understand, and those parts deal with how we use the chemicals and the personal protective equipment in case of an accident. Therefore, discussing how to read an MSD sheet is a vital part of this program.

**5.** You may breathe chemicals into your lungs. Chemicals can also enter through the skin, nose, mouth, eyes, and elsewhere.

**6.** Chemicals may affect your lungs, heart, skin, kidneys, brain, nervous system, liver, eyes, and other parts of your body.

**7.** If you work with chemicals, learn or post emergency procedures, emergency telephone numbers, and how to read labels. If your transfer to another work location with new chemicals, learn how to safely use those chemicals.

If new chemicals are brought into your work place, learn the hazards of these and how to safely handle them, what protective equipment to use and what to do in case of an emergency. If you encounter a new chemical that you are not familiar with, contact your supervisor about proper training before using the chemical.

**8.** Each of you have presented with a SDS. We will discuss the information on this sheet.

*(Complete discussion on all data on the SDS)*

**9.** (job title) will discuss the location in the facility where hazardous chemicals are used and the proper and safe work procedures for these chemicals. The proper use of personal protection equipment will be discussed. Also, in case of an accident, you will be advised about safety precautions to be taken to protect yourself from serious injury.

**10.** (job title) will also advise you on the location in the facility where the MSD sheets are kept, along with the company written program for hazardous chemicals. You are entitled to look at this data at any time should you wish to know about the chemicals in your work place. Let me suggest that you contact your supervisor in these cases to see these records.

**11.** (job title) will also advise you about how the company is labeling these materials, and how to detect hazards by visibility and odors.

**12.** Generally speaking:

a. Know if you are working with hazardous materials.

b. Know how to recognize them by sight, by labels, by odors, etc.

c. Know how to use the chemicals safely.

d. Know what to do in case of a chemically related accident.

# Appendix A

**Hazard Communication Program**

**List of Chemicals**

**(or Chemical Inventory)**

**Note:** the chemical name should be identical to that found on the SDS.

\_\_\_\_\_\_\_\_\_\_\_

# Appendix B

**Acknowledgement of Receipt of Hazard Communication Training**

My signature below acknowledges that I have received training concerning Hazard Communications. I understand that this training fulfills the employee training requirement of OSHA's Hazard Communication Standard.

The jobsite and classroom training included the following:

1. Understanding the purpose and scope of the OSHA Hazard Communication Standard.

2. Explanation of the existence of federal, state and local right-to-know laws.

3. Definition of the classification "hazardous chemical".

4. Explanation of situations and elements that must be present for a material to be considered a health hazard.

5. Explanation and interpretation of labels, what is required on all containers, and the Hazard Materials Identification System (HMIS).

6. Understanding and interpretation of Safety Data Sheets (SDS), which must be obtained for each hazardous chemical.

7. My responsibilities as an employee of (*Company Name)*.

1. Policies and procedures to follow in case of exposure.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

EMPLOYEE NAME (Please print)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

EMPLOYEE SIGNATURE DATE

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COMPANY REPRESENTATIVE DATE

**Hazard Communication Program**

**Specific Methods of Training**

**Training Topic Training Method**

Example: Safety Data Sheets Example: video - "Safety Data Sheets"

# Appendix C

**Hazard Communication Program**

**Training Record**

**Trainer(s):**

**Date Employee Name Job Title**

**SAMPLE LABLE**

**Pictograms**

**Product Identifier**

|  |
| --- |
| **OXI252**  (disodiumflammy)  CAS #: 111-11-11xx  Description: Corrosion Description: Flame Over Circle  **Signal Word**  **Hazard**  **Statements**  **Danger**  May cause fire or explosion; strong oxidizer  Causes severe skin burns and eye damage  Keep away from heat. Keep away from clothing and other combustible materials. Take any precaution to avoid mixing with combustibles. Wear protective neoprene gloves, safety goggles and face shield with chin guard. Wear fire/flame resistant clothing. Do not breathe dust or mists. Wash arms, hands and face thoroughly after handling. Store locked up. Dispose of contents and container in accordance with local, state and federal regulations.  **Precautionary**  **Statements**  **First aid**  IF ON SKIN, HAIR OR CLOTHING: Immediately rinse any contaminated clothing and skin with plenty of water before removing clothes. Wash contaminated clothing before reuse.  IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present. Continue rinsing.  IF INHALED: Remove person to fresh air and keep him or her comfortable.  IF SWALLOWED: Rinse mouth. Do NOT induce vomiting. Immediately call poison center.  SPECIFIC TREATMENT: Treat with doctor-prescribed burn cream.  **Fire**  In case of fire: Use water spray.  In case of major fire and large quantities: Evacuate area. Fight fire remotely due to the risk of explosion.  Great Chemical Company  55 Main Street, Anywhere, CT 064XX  Telephone: 888-777-8888 |

**Name, address and telephone number** of the chemical manufacturer, importer or other responsible party

**PICTOGRAMS**

|  |  |  |
| --- | --- | --- |
| **Health Hazard**  Description: Health Hazard  • Carcinogen • Mutagenicity • Reproductive toxicity • Respiratory sensitizer • Target organ toxicity • Aspiration toxicity | **Flame**  Description: Flame  • Flammables • Pyrophorics • Self-heating • Emits flammable gas • Self-reactives • Organic peroxides | **Exclamation Mark**  Description: Exclamation Mark  • Irritant (skin and eye) • Skin sensitizer • Acute toxicity (harmful) • Narcotic effects • Respiratory tract irritant • Hazardous to ozone layer (non-mandatory) |
| **Gas Cylinder**  Description: Gas Cylinder  • Gases under pressure | **Corrosion**  Description: Corrosion  • Skin Corrosion/ burns • Eye damage • Corrosive to metals | **Exploding Bomb**  Description: Exploding Bomb  • Explosives • Self-reactives • Organic peroxides |
| **Flame Over Circle**  Description: Flame Over Circle  • Oxidizers | **Environment** (EPA jurisdiction)  Description: Environment  • Aquatic toxicity | **Skull & Crossbones**  Description: Skull and Crossbones  • Acute toxicity (fatal or toxic) |

# Appendix D

**Steps to an Effective Hazard**

**Communication Program for Employers That Use Hazardous Chemicals**

Employers that have hazardous chemicals in their workplaces are required by OSHA’s Hazard Communication Standard (HCS), [29 CFR 1910.1200,](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=10099) to implement a hazard communication program. The program must include labels on containers of hazardous chemicals, safety data sheets (SDSs) for hazardous chemicals, and training for workers. Each employer must also describe in a written program how it will meet the requirements of the HCS in each of these areas.

Employers can implement an effective hazard communication program by following these six steps:

**Step 1. Learn the Standard/Identify Responsible Staff**

* Obtain a copy of OSHA’s Hazard Communication Standard.
* Become familiar with its provisions.
* Make sure that someone has primary responsibility for coordinating implementation.
* Identify staff for particular activities (e.g., training).

You may obtain a copy of the Hazard Communication Standard on OSHA’s hazard communication webpage at [www.osha.gov/ dsg/hazcom](http://www.osha.gov/dsg/hazcom). The provisions of the standard that apply to employers using chemicals in their workplaces are found primarily in paragraphs (e) written hazard communication program; (f) labels and other forms of warning; (g) safety data sheets; and (h) employee information and training. It is important that you become familiar with these provisions to determine what is needed for compliance in your workplace.

In order to ensure that you have an effective hazard communication program, and address all of the necessary components, responsibility for implementation of hazard communication should be assigned to someone to coordinate. The person designated for overall program coordination should then identify staff to be responsible for particular activities, such as training.

**Step 2. Prepare and Implement a Written Hazard Communication Program**

* Prepare a written plan to indicate how hazard communication will be addressed in your facility.
* Prepare a list or inventory of all hazardous chemicals in the workplace.

Paragraph (e) of the standard requires employers to prepare and implement a written hazard communication program. This requirement is to help ensure that compliance with the standard is done in a systematic way, and that all elements are coordinated. The written program must indicate how you will address the requirements of paragraphs (f) labels and other forms of warning; (g) safety data sheets; and (h) employee information and training, in your workplace.

The written program also requires employers to maintain a list of the hazardous chemicals known to be present in the workplace. Using the product identifier (e.g., product name, common name, or chemical name) to prepare the list will make it easier for you to track the status of SDSs and labels of a particular hazardous chemical. Remember, the product identifier must be the same name that appears on the label and SDS of the hazardous chemical.

**Step 3. Ensure Containers are Labeled**

* Keep labels on shipped containers.
* Label workplace containers where required.

Chemical manufacturers and importers are required to provide labels on shipped containers with the following information: product identifier, signal word, pictograms, hazard statements, precautionary statements, and the name, address and phone number of the responsible party. Therefore, when an employer receives a hazardous chemical from a supplier, all of this information will be located together on the label; however, additional information may also appear.

As the employer, you are required to ensure that containers in the workplace are labeled. You may use the same label from the supplier or you may label workplace containers with alternatives, such as third party systems (e.g., National Fire Protection Association (NFPA) or Hazardous Materials Identification System (HMIS)) in addition to the other required information. Any container of hazardous chemicals in the workplace must at a minimum include the product identifier and general information concerning the hazards of the chemical. Whatever method you choose, your workers need to have access to the complete hazard information.

**Step 4. Maintain Safety Data Sheets (SDSs)**

* Maintain safety data sheets for each hazardous chemical in the workplace.
* Ensure that safety data sheets are readily accessible to employees.

Safety data sheets are the source of detailed information on a particular hazardous chemical. Employers must maintain copies of SDSs for all hazardous chemicals present in their workplaces. If you do not receive an SDS from your supplier automatically, you must request one. You also must ensure that SDSs are readily accessible to workers when they are in their work areas during their work shifts.

This accessibility may be accomplished in many different ways. You must decide what is appropriate for your particular workplace. Some employers keep the SDSs in a binder in a central location (e.g., outside of the safety office, in the pick-up truck on a construction site). Others, particularly in workplaces with large numbers of chemicals, provide access electronically. However, if SDSs are supplied electronically, there must be an adequate back-up system in place in the event of a power outage, equipment failure, or other emergency involving the primary electronic system. In addition, the employer must ensure that workers are trained on how to use the system to access SDSs and are able to obtain hard copies of the SDSs. In the event of a medical emergency, hard copy SDSs must be immediately available to medical personnel.

**Step 5. Inform and Train Employees**

* Train employees on the hazardous chemicals in their work area before initial assignment, and when new hazards are introduced.
* Include the requirements of the standard, hazards of chemicals, appropriate protective measures, and where and how to obtain additional information.

Paragraph (h) of the HCS requires that employers train employees on the hazardous chemicals in their work area before their initial assignment and when new hazards are introduced into the work area, and this training must be conducted in a manner and language that employees can understand. Workers must understand they are exposed to hazardous chemicals. They must know that labels and safety data sheets can provide them with information on the hazards of a chemical, and these items should be consulted when needed. In addition, workers must have a general understanding of what information is provided on labels and SDSs, and how to access them. They must also be aware of the protective measures available in their workplace, how to use or implement these measures, and whom they should contact if an issue arises.

**Step 6. Evaluate and Reassess Your Program**

* Review your hazard communication program periodically to make sure that it is still working and meeting its objectives.
* Revise your program as appropriate to address changed conditions in the workplace (e.g., new chemicals, new hazards, etc.).

Although the HCS does not require you to evaluate and reassess your hazard communication program, it must remain current and relevant for you and your employees. The best way to achieve that is to review your hazard communication program periodically to make sure that it is still working and meeting its objectives and to revise it as appropriate to address changed conditions in the workplace (e.g., new chemicals, new hazards, etc.).

**Additional Information**

See [*Hazard Communication: Small Entity*](http://www.osha.gov/Publications/OSHA3695.pdf)

[*Compliance Guide for Employers That Use Hazardous Chemicals*](http://www.osha.gov/Publications/OSHA3695.pdf) for more detailed information on how to implement an effective hazard communication program. Additional information on the Hazard Communication Standard can be found on OSHA’s Hazard Communication webpage at [www.osha.gov/dsg/hazcom](http://www.osha.gov/dsg/hazcom).

# Appendix E

**Form Letter for Obtaining a Safety Data Sheet**

*(Letterhead)*

*(Date)*

Name and address of Safety Data Sheet (SDS) supplier (manufacturer, importer or distributor)

Mr. or Ms.:

My company recently purchased your product *(product identifier)* and a SDS did not arrive with the first delivery.

Please send me an appropriate SDS sheet which will meet the requirements set forth in the OSHA standards 29 CFR 1910.1200 (Revised 2012) and 29 CFR 1926.59 (revised 2012).

Thank you for your cooperation.

Sincerely,

Employee name

Job Title

Department

Company

Address

Telephone number

# Appendix F

Copy of 29 CFR 1910.1200

**Note:** The following text for 1910.1200 has been updated to align with the UN Globally Harmonized System of Classification and Labelling of Chemicals (GHS), Revision 3, issued in the [Federal Register, March 26, 2012](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEDERAL_REGISTER&p_id=22607). This rule became effective May 25, 2012.   
  
Also, the [Hazard Communication page](https://www.osha.gov/dsg/hazcom/index.html), on OSHA.gov, includes downloadable versions of the revised 1910.1200 Final Rule and appendices, updated to align with the GHS; a comparison of the Hazard Communication Standard, issued in 1994 (HazCom 1994), with the revised Hazard Communication Final Rule issued in 2012 (HazCom 2012); frequently asked questions on the revisions; and new guidance materials on the revisions. The page also contains the full regulatory text and appendices of [HazCom 1994](https://www.osha.gov/dsg/hazcom/hazcom_1994.html).   
  
**1910.1200(a)**

*Purpose*.

**1910.1200(a)(1)**

The purpose of this section is to ensure that the hazards of all chemicals produced or imported are classified, and that information concerning the classified hazards is transmitted to employers and employees. The requirements of this section are intended to be consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labelling of Chemicals (GHS), Revision 3. The transmittal of information is to be accomplished by means of comprehensive hazard communication programs, which are to include container labeling and other forms of warning, safety data sheets and employee training.

**[1910.1200(a)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(a)(2))**

This occupational safety and health standard is intended to address comprehensively the issue of classifying the potential hazards of chemicals, and communicating information concerning hazards and appropriate protective measures to employees, and to preempt any legislative or regulatory enactments of a state, or political subdivision of a state, pertaining to this subject. Classifying the potential hazards of chemicals and communicating information concerning hazards and appropriate protective measures to employees, may include, for example, but is not limited to, provisions for: developing and maintaining a written hazard communication program for the workplace, including lists of hazardous chemicals present; labeling of containers of chemicals in the workplace, as well as of containers of chemicals being shipped to other workplaces; preparation and distribution of safety data sheets to employees and downstream employers; and development and implementation of employee training programs regarding hazards of chemicals and protective measures. Under section 18 of the Act, no state or political subdivision of a state may adopt or enforce any requirement relating to the issue addressed by this Federal standard, except pursuant to a Federally-approved state plan.

**[1910.1200(b)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b))**

*Scope and application*.

**[1910.1200(b)(1)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(1))**

This section requires chemical manufacturers or importers to classify the hazards of chemicals which they produce or import, and all employers to provide information to their employees about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels and other forms of warning, safety data sheets, and information and training. In addition, this section requires distributors to transmit the required information to employers. (Employers who do not produce or import chemicals need only focus on those parts of this rule that deal with establishing a workplace program and communicating information to their workers.)

**[1910.1200(b)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(2))**

This section applies to any chemical which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.

**[1910.1200(b)(3)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(3))**

This section applies to laboratories only as follows:

**1910.1200(b)(3)(i)**

Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced;

**1910.1200(b)(3)(ii)**

Employers shall maintain any safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are readily accessible during each workshift to laboratory employees when they are in their work areas;

**1910.1200(b)(3)(iii)**

Employers shall ensure that laboratory employees are provided information and training in accordance with paragraph (h) of this section, except for the location and availability of the written hazard communication program under paragraph (h)(2)(iii) of this section; and,

**[1910.1200(b)(3)(iv)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(3)(iv))**

Laboratory employers that ship hazardous chemicals are considered to be either a chemical manufacturer or a distributor under this rule, and thus must ensure that any containers of hazardous chemicals leaving the laboratory are labeled in accordance with paragraph (f) of this section, and that a safety data sheet is provided to distributors and other employers in accordance with paragraphs (g)(6) and (g)(7) of this section.

**[1910.1200(b)(4)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(4))**

In work operations where employees only handle chemicals in sealed containers which are not opened under normal conditions of use (such as are found in marine cargo handling, warehousing, or retail sales), this section applies to these operations only as follows:

**1910.1200(b)(4)(i)**

Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced;

**1910.1200(b)(4)(ii)**

Employers shall maintain copies of any safety data sheets that are received with incoming shipments of the sealed containers of hazardous chemicals, shall obtain a safety data sheet as soon as possible for sealed containers of hazardous chemicals received without a safety data sheet if an employee requests the safety data sheet, and shall ensure that the safety data sheets are readily accessible during each work shift to employees when they are in their work area(s); and,

**1910.1200(b)(4)(iii)**

Employers shall ensure that employees are provided with information and training in accordance with paragraph (h) of this section (except for the location and availability of the written hazard communication program under paragraph (h)(2)(iii) of this section), to the extent necessary to protect them in the event of a spill or leak of a hazardous chemical from a sealed container.

**[1910.1200(b)(5)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(5))**

This section does not require labeling of the following chemicals:

**1910.1200(b)(5)(i)**

Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 *et seq*.), when subject to the labeling requirements of that Act and labeling regulations issued under that Act by the Environmental Protection Agency;

**[1910.1200(b)(5)(ii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(5)(ii))**

Any chemical substance or mixture as such terms are defined in the Toxic Substances Control Act (15 U.S.C. 2601 *et seq*.), when subject to the labeling requirements of that Act and labeling regulations issued under that Act by the Environmental Protection Agency;

**[1910.1200(b)(5)(iii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(5)(iii))**

Any food, food additive, color additive, drug, cosmetic, or medical or veterinary device or product, including materials intended for use as ingredients in such products (*e.g.* flavors and fragrances), as such terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 *et seq*.) or the Virus-Serum-Toxin Act of 1913 (21 U.S.C. 151 *et seq*.), and regulations issued under those Acts, when they are subject to the labeling requirements under those Acts by either the Food and Drug Administration or the Department of Agriculture;

**1910.1200(b)(5)(iv)**

Any distilled spirits (beverage alcohols), wine, or malt beverage intended for nonindustrial use, as such terms are defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that Act, when subject to the labeling requirements of that Act and labeling regulations issued under that Act by the Bureau of Alcohol, Tobacco, Firearms and Explosives;

**[1910.1200(b)(5)(v)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(5)(v))**

Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 *et seq*.) and Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq*.) respectively, when subject to a consumer product safety standard or labeling requirement of those Acts, or regulations issued under those Acts by the Consumer Product Safety Commission; and,

**1910.1200(b)(5)(vi)**

Agricultural or vegetable seed treated with pesticides and labeled in accordance with the Federal Seed Act (7 U.S.C. 1551 *et seq*.) and the labeling regulations issued under that Act by the Department of Agriculture.

**[1910.1200(b)(6)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6))**

This section does not apply to:

**[1910.1200(b)(6)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(i))**

Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 *et seq*.), when subject to regulations issued under that Act by the Environmental Protection Agency;

**1910.1200(b)(6)(ii)**

Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.) when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations.

**1910.1200(b)(6)(iii)**

Tobacco or tobacco products;

**[1910.1200(b)(6)(iv)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(iv))**

Wood or wood products, including lumber which will not be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to employees is the potential for flammability or combustibility (wood or wood products which have been treated with a hazardous chemical covered by this standard, and wood which may be subsequently sawed or cut, generating dust, are not exempted);

**[1910.1200(b)(6)(v)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(v))**

Articles (as that term is defined in paragraph (c) of this section);

**[1910.1200(b)(6)(vi)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(vi))**

Food or alcoholic beverages which are sold, used, or prepared in a retail establishment (such as a grocery store, restaurant, or drinking place), and foods intended for personal consumption by employees while in the workplace;

**[1910.1200(b)(6)(vii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(vii))**

Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 *et seq*.), when it is in solid, final form for direct administration to the patient (*e.g.*, tablets or pills); drugs which are packaged by the chemical manufacturer for sale to consumers in a retail establishment (*e.g.*, over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (*e.g.*, first aid supplies);

**[1910.1200(b)(6)(viii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(viii))**

Cosmetics which are packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace;

**[1910.1200(b)(6)(ix)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(ix))**

Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 *et seq*.) and Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq*.) respectively, where the employer can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended;

**1910.1200(b)(6)(x)**

Nuisance particulates where the chemical manufacturer or importer can establish that they do not pose any physical or health hazard covered under this section;

**[1910.1200(b)(6)(xi)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(b)(6)(xi))**

Ionizing and nonionizing radiation; and,

**1910.1200(b)(6)(xii)**

Biological hazards.

**[1910.1200(c)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(c))**

*Definitions*. *Article* means a manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more than very small quantities, *e.g.*, minute or trace amounts of a hazardous chemical (as determined under paragraph (d) of this section), and does not pose a physical hazard or health risk to employees.   
  
*Assistant Secretary* means the Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, or designee.   
  
*Chemical* means any substance, or mixture of substances.   
  
*Chemical manufacturer* means an employer with a workplace where chemical(s) are produced for use or distribution.   
  
*Chemical name* means the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC) or the Chemical Abstracts Service (CAS) rules of nomenclature, or a name that will clearly identify the chemical for the purpose of conducting a hazard classification.   
  
*Classification* means to identify the relevant data regarding the hazards of a chemical; review those data to ascertain the hazards associated with the chemical; and decide whether the chemical will be classified as hazardous according to the definition of hazardous chemical in this section. In addition, classification for health and physical hazards includes the determination of the degree of hazard, where appropriate, by comparing the data with the criteria for health and physical hazards.   
  
*Commercial account* means an arrangement whereby a retail distributor sells hazardous chemicals to an employer, generally in large quantities over time and/or at costs that are below the regular retail price.   
  
*Common name* means any designation or identification such as code name, code number, trade name, brand name or generic name used to identify a chemical other than by its chemical name.   
  
*Container* means any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical. For purposes of this section, pipes or piping systems, and engines, fuel tanks, or other operating systems in a vehicle, are not considered to be containers.   
  
*Designated representative* means any individual or organization to whom an employee gives written authorization to exercise such employee's rights under this section. A recognized or certified collective bargaining agent shall be treated automatically as a designated representative without regard to written employee authorization.   
  
*Director* means the Director, National Institute for Occupational Safety and Health, U.S. Department of Health and Human Services, or designee.   
  
*Distributor* means a business, other than a chemical manufacturer or importer, which supplies hazardous chemicals to other distributors or to employers.   
  
*Employee* means a worker who may be exposed to hazardous chemicals under normal operating conditions or in foreseeable emergencies. Workers such as office workers or bank tellers who encounter hazardous chemicals only in non-routine, isolated instances are not covered.   
  
*Employer* means a person engaged in a business where chemicals are either used, distributed, or are produced for use or distribution, including a contractor or subcontractor.   
  
*Exposure or exposed* means that an employee is subjected in the course of employment to a chemical that is a physical or health hazard, and includes potential ( *e.g.* accidental or possible) exposure. "Subjected" in terms of health hazards includes any route of entry ( *e.g.* inhalation, ingestion, skin contact or absorption.)   
  
*Foreseeable emergency* means any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which could result in an uncontrolled release of a hazardous chemical into the workplace.   
  
*Hazard category* means the division of criteria within each hazard class, e.g., oral acute toxicity and flammable liquids include four hazard categories. These categories compare hazard severity within a hazard class and should not be taken as a comparison of hazard categories more generally.   
  
*Hazard class* means the nature of the physical or health hazards, e.g., flammable solid, carcinogen, oral acute toxicity.   
  
*Hazard not otherwise classified (HNOC)* means an adverse physical or health effect identified through evaluation of scientific evidence during the classification process that does not meet the specified criteria for the physical and health hazard classes addressed in this section. This does not extend coverage to adverse physical and health effects for which there is a hazard class addressed in this section, but the effect either falls below the cut-off value/concentration limit of the hazard class or is under a GHS hazard category that has not been adopted by OSHA (e.g., acute toxicity Category 5).   
  
*Hazard statement* means a statement assigned to a hazard class and category that describes the nature of the hazard(s) of a chemical, including, where appropriate, the degree of hazard.   
  
*Hazardous chemical* means any chemical which is classified as a physical hazard or a health hazard, a simple asphyxiant, combustible dust, pyrophoric gas, or hazard not otherwise classified.   
  
*Health hazard* means a chemical which is classified as posing one of the following hazardous effects: acute toxicity (any route of exposure); skin corrosion or irritation; serious eye damage or eye irritation; respiratory or skin sensitization; germ cell mutagenicity; carcinogenicity; reproductive toxicity; specific target organ toxicity (single or repeated exposure); or aspiration hazard. The criteria for determining whether a chemical is classified as a health hazard are detailed in Appendix A to §1910.1200¿Health Hazard Criteria.   
  
*Immediate use* means that the hazardous chemical will be under the control of and used only by the person who transfers it from a labeled container and only within the work shift in which it is transferred.   
  
*Importer* means the first business with employees within the Customs Territory of the United States which receives hazardous chemicals produced in other countries for the purpose of supplying them to distributors or employers within the United States.   
  
*Label* means an appropriate group of written, printed or graphic information elements concerning a hazardous chemical that is affixed to, printed on, or attached to the immediate container of a hazardous chemical, or to the outside packaging.   
  
*Label elements* means the specified pictogram, hazard statement, signal word and precautionary statement for each hazard class and category.   
  
*Mixture* means a combination or a solution composed of two or more substances in which they do not react.   
  
*Physical hazard* means a chemical that is classified as posing one of the following hazardous effects: explosive; flammable (gases, aerosols, liquids, or solids); oxidizer (liquid, solid or gas); self-reactive; pyrophoric (liquid or solid); self-heating; organic peroxide; corrosive to metal; gas under pressure; or in contact with water emits flammable gas. See Appendix B to §1910.1200¿Physical Hazard Criteria.   
  
*Pictogram* means a composition that may include a symbol plus other graphic elements, such as a border, background pattern, or color, that is intended to convey specific information about the hazards of a chemical. Eight pictograms are designated under this standard for application to a hazard category.   
  
*Precautionary statement* means a phrase that describes recommended measures that should be taken to minimize or prevent adverse effects resulting from exposure to a hazardous chemical, or improper storage or handling.   
  
*Produce* means to manufacture, process, formulate, blend, extract, generate, emit, or repackage.   
  
*Product identifier* means the name or number used for a hazardous chemical on a label or in the SDS. It provides a unique means by which the user can identify the chemical. The product identifier used shall permit cross-references to be made among the list of hazardous chemicals required in the written hazard communication program, the label and the SDS.   
  
*Pyrophoric gas* means a chemical in a gaseous state that will ignite spontaneously in air at a temperature of 130 degrees F (54.4 degrees C) or below.   
  
*Responsible party* means someone who can provide additional information on the hazardous chemical and appropriate emergency procedures, if necessary.   
  
*Safety data sheet (SDS)* means written or printed material concerning a hazardous chemical that is prepared in accordance with paragraph (g) of this section.   
  
*Signal word* means a word used to indicate the relative level of severity of hazard and alert the reader to a potential hazard on the label. The signal words used in this section are "danger" and "warning." "Danger" is used for the more severe hazards, while "warning" is used for the less severe.   
  
*Simple asphyxiant* means a substance or mixture that displaces oxygen in the ambient atmosphere, and can thus cause oxygen deprivation in those who are exposed, leading to unconsciousness and death.   
  
*Specific chemical identity* means the chemical name, Chemical Abstracts Service (CAS) Registry Number, or any other information that reveals the precise chemical designation of the substance.   
  
*Substance* means chemical elements and their compounds in the natural state or obtained by any production process, including any additive necessary to preserve the stability of the product and any impurities deriving from the process used, but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition.   
  
*Trade secret* means any confidential formula, pattern, process, device, information or compilation of information that is used in an employer's business, and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it. Appendix E to §1910.1200¿Definition of Trade Secret, sets out the criteria to be used in evaluating trade secrets.   
  
*Use* means to package, handle, react, emit, extract, generate as a byproduct, or transfer.   
  
*Work area* means a room or defined space in a workplace where hazardous chemicals are produced or used, and where employees are present.   
  
*Workplace* means an establishment, job site, or project, at one geographical location containing one or more work areas.

**[1910.1200(d)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(d))**

*Hazard classification*.

**[1910.1200(d)(1)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(d)(1))**

Chemical manufacturers and importers shall evaluate chemicals produced in their workplaces or imported by them to classify the chemicals in accordance with this section. For each chemical, the chemical manufacturer or importer shall determine the hazard classes, and, where appropriate, the category of each class that apply to the chemical being classified. Employers are not required to classify chemicals unless they choose not to rely on the classification performed by the chemical manufacturer or importer for the chemical to satisfy this requirement.

**[1910.1200(d)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(d)(2))**

Chemical manufacturers, importers or employers classifying chemicals shall identify and consider the full range of available scientific literature and other evidence concerning the potential hazards. There is no requirement to test the chemical to determine how to classify its hazards. Appendix A to § 1910.1200 shall be consulted for classification of health hazards, and Appendix B to § 1910.1200 shall be consulted for the classification of physical hazards.

**[1910.1200(d)(3)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(d)(3))**

*Mixtures*.

**[1910.1200(d)(3)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(d)(3)(i))**

Chemical manufacturers, importers, or employers evaluating chemicals shall follow the procedures described in Appendices A and B to Sec. 1910.1200 to classify the hazards of the chemicals, including determinations regarding when mixtures of the classified chemicals are covered by this section.

**1910.1200(d)(3)(ii)**

When classifying mixtures they produce or import, chemical manufacturers and importers of mixtures may rely on the information provided on the current safety data sheets of the individual ingredients, except where the chemical manufacturer or importer knows, or in the exercise of reasonable diligence should know, that the safety data sheet misstates or omits information required by this section.

**[1910.1200(e)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(e))**

*Written hazard communication program*.

**[1910.1200(e)(1)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(e)(1))**

Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following:

**[1910.1200(e)(1)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(e)(1)(i))**

A list of the hazardous chemicals known to be present using a product identifier that is referenced on the appropriate safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and,

**1910.1200(e)(1)(ii)**

The methods the employer will use to inform employees of the hazards of non-routine tasks (for example, the cleaning of reactor vessels), and the hazards associated with chemicals contained in unlabeled pipes in their work areas.

**[1910.1200(e)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(e)(2))**

*Multi-employer workplaces*. Employers who produce, use, or store hazardous chemicals at a workplace in such a way that the employees of other employer(s) may be exposed (for example, employees of a construction contractor working on-site) shall additionally ensure that the hazard communication programs developed and implemented under this paragraph (e) include the following:

**1910.1200(e)(2)(i)**

The methods the employer will use to provide the other employer(s) on-site access to safety data sheets for each hazardous chemical the other employer(s)' employees may be exposed to while working;

**1910.1200(e)(2)(ii)**

The methods the employer will use to inform the other employer(s) of any precautionary measures that need to be taken to protect employees during the workplace's normal operating conditions and in foreseeable emergencies; and,

**1910.1200(e)(2)(iii)**

The methods the employer will use to inform the other employer(s) of the labeling system used in the workplace.

**1910.1200(e)(3)**

The employer may rely on an existing hazard communication program to comply with these requirements, provided that it meets the criteria established in this paragraph (e).

**[1910.1200(e)(4)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(e)(4))**

The employer shall make the written hazard communication program available, upon request, to employees, their designated representatives, the Assistant Secretary and the Director, in accordance with the requirements of 29 CFR 1910.1020 (e).

**1910.1200(e)(5)**

Where employees must travel between workplaces during a workshift, i.e., their work is carried out at more than one geographical location, the written hazard communication program may be kept at the primary workplace facility.

**[1910.1200(f)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f))**

*Labels and other forms of warning*—

**[1910.1200(f)(1)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1))**

*Labels on shipped containers*. The chemical manufacturer, importer, or distributor shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked. Hazards not otherwise classified do not have to be addressed on the container. Where the chemical manufacturer or importer is required to label, tag or mark the following information shall be provided:

**[1910.1200(f)(1)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1)(i))**

Product identifier;

**[1910.1200(f)(1)(ii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1)(ii))**

Signal word;

**[1910.1200(f)(1)(iii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1)(iii))**

Hazard statement(s);

**[1910.1200(f)(1)(iv)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1)(iv))**

Pictogram(s);

**[1910.1200(f)(1)(v)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1)(v))**

Precautionary statement(s); and,

**[1910.1200(f)(1)(vi)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(1)(vi))**

Name, address, and telephone number of the chemical manufacturer, importer, or other responsible party.

**[1910.1200(f)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(2))**

The chemical manufacturer, importer, or distributor shall ensure that the information provided under paragraphs (f)(1)(i) through (v) of this section is in accordance with Appendix C to § 1910.1200, for each hazard class and associated hazard category for the hazardous chemical, prominently displayed, and in English (other languages may also be included if appropriate).

**[1910.1200(f)(3)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(3))**

The chemical manufacturer, importer, or distributor shall ensure that the information provided under paragraphs (f)(1)(ii) through (iv) of this section is located together on the label, tag, or mark.

**[1910.1200(f)(4)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(4))**

*Solid materials*.

**1910.1200(f)(4)(i)**

For solid metal (such as a steel beam or a metal casting), solid wood, or plastic items that are not exempted as articles due to their downstream use, or shipments of whole grain, the required label may be transmitted to the customer at the time of the initial shipment, and need not be included with subsequent shipments to the same employer unless the information on the label changes;

**1910.1200(f)(4)(ii)**

The label may be transmitted with the initial shipment itself, or with the safety data sheet that is to be provided prior to or at the time of the first shipment; and,

**1910.1200(f)(4)(iii)**

This exception to requiring labels on every container of hazardous chemicals is only for the solid material itself, and does not apply to hazardous chemicals used in conjunction with, or known to be present with, the material and to which employees handling the items in transit may be exposed (for example, cutting fluids or pesticides in grains).

**[1910.1200(f)(5)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(5))**

Chemical manufacturers, importers, or distributors shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked in accordance with this section in a manner which does not conflict with the requirements of the Hazardous Materials Transportation Act (49 U.S.C. 1801 *et seq*.) and regulations issued under that Act by the Department of Transportation.

**[1910.1200(f)(6)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(6))**

Workplace labeling. Except as provided in paragraphs (f)(7) and (f)(8) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with either:

**[1910.1200(f)(6)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(6)(i))**

The information specified under paragraphs (f)(1)(i) through (v) of this section for labels on shipped containers; or,

**[1910.1200(f)(6)(ii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(6)(ii))**

Product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

**[1910.1200(f)(7)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(7))**

The employer may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials in lieu of affixing labels to individual stationary process containers, as long as the alternative method identifies the containers to which it is applicable and conveys the information required by paragraph (f)(6) of this section to be on a label. The employer shall ensure the written materials are readily accessible to the employees in their work area throughout each work shift.

**1910.1200(f)(8)**

The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for the immediate use of the employee who performs the transfer. For purposes of this section, drugs which are dispensed by a pharmacy to a health care provider for direct administration to a patient are exempted from labeling.

**[1910.1200(f)(9)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(9))**

The employer shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.

**1910.1200(f)(10)**

The employer shall ensure that workplace labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers having employees who speak other languages may add the information in their language to the material presented, as long as the information is presented in English as well.

**[1910.1200(f)(11)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(f)(11))**

Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical shall revise the labels for the chemical within six months of becoming aware of the new information, and shall ensure that labels on containers of hazardous chemicals shipped after that time contain the new information. If the chemical is not currently produced or imported, the chemical manufacturer, importer, distributor, or employer shall add the information to the label before the chemical is shipped or introduced into the workplace again.

**[1910.1200(g)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g))**

*Safety data sheets*.

**[1910.1200(g)(1)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(1))**

Chemical manufacturers and importers shall obtain or develop a safety data sheet for each hazardous chemical they produce or import. Employers shall have a safety data sheet in the workplace for each hazardous chemical which they use.

**[1910.1200(g)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(2))**

The chemical manufacturer or importer preparing the safety data sheet shall ensure that it is in English (although the employer may maintain copies in other languages as well), and includes at least the following section numbers and headings, and associated information under each heading, in the order listed (*See* Appendix D to § 1910.1200—Safety Data Sheets, for the specific content of each section of the safety data sheet):

**[1910.1200(g)(2)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(2)(i))**

Section 1, Identification;

**1910.1200(g)(2)(ii)**

Section 2, Hazard(s) identification;

**1910.1200(g)(2)(iii)**

Section 3, Composition/information on ingredients;

**1910.1200(g)(2)(iv)**

Section 4, First-aid measures;

**1910.1200(g)(2)(v)**

Section 5, Fire-fighting measures;

**[1910.1200(g)(2)(vi)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(2)(vi))**

Section 6, Accidental release measures;

**1910.1200(g)(2)(vii)**

Section 7, Handling and storage;

**1910.1200(g)(2)(viii)**

Section 8, Exposure controls/personal protection;

**1910.1200(g)(2)(ix)**

Section 9, Physical and chemical properties;

**[1910.1200(g)(2)(x)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(2)(x))**

Section 10, Stability and reactivity;

**[1910.1200(g)(2)(xi)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(2)(xi))**

Section 11, Toxicological information;

**[1910.1200(g)(2)(xii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(2)(xii))**

Section 12, Ecological information;

**1910.1200(g)(2)(xiii)**

Section 13, Disposal considerations;

**1910.1200(g)(2)(xiv)**

Section 14, Transport information;

**1910.1200(g)(2)(xv)**

Section 15, Regulatory information; and

**1910.1200(g)(2)(xvi)**

Section 16, Other information, including date of preparation or last revision.   
  
Note 1 to paragraph (g)(2): To be consistent with the GHS, an SDS must also include the headings in paragraphs (g)(2)(xii) through (g)(2)(xv) in order.   
  
Note 2 to paragraph (g)(2): OSHA will not be enforcing information requirements in sections 12 through 15, as these areas are not under its jurisdiction.

**1910.1200(g)(3)**

If no relevant information is found for any sub-heading within a section on the safety data sheet, the chemical manufacturer, importer or employer preparing the safety data sheet shall mark it to indicate that no applicable information was found.

**[1910.1200(g)(4)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(4))**

Where complex mixtures have similar hazards and contents (i.e. the chemical ingredients are essentially the same, but the specific composition varies from mixture to mixture), the chemical manufacturer, importer or employer may prepare one safety data sheet to apply to all of these similar mixtures.

**[1910.1200(g)(5)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(5))**

The chemical manufacturer, importer or employer preparing the safety data sheet shall ensure that the information provided accurately reflects the scientific evidence used in making the hazard classification. If the chemical manufacturer, importer or employer preparing the safety data sheet becomes newly aware of any significant information regarding the hazards of a chemical, or ways to protect against the hazards, this new information shall be added to the safety data sheet within three months. If the chemical is not currently being produced or imported, the chemical manufacturer or importer shall add the information to the safety data sheet before the chemical is introduced into the workplace again.

**[1910.1200(g)(6)(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(6)(i))**

Chemical manufacturers or importers shall ensure that distributors and employers are provided an appropriate safety data sheet with their initial shipment, and with the first shipment after a safety data sheet is updated;

**[1910.1200(g)(6)(ii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(6)(ii))**

The chemical manufacturer or importer shall either provide safety data sheets with the shipped containers or send them to the distributor or employer prior to or at the time of the shipment;

**1910.1200(g)(6)(iii)**

If the safety data sheet is not provided with a shipment that has been labeled as a hazardous chemical, the distributor or employer shall obtain one from the chemical manufacturer or importer as soon as possible; and,

**[1910.1200(g)(6)(iv)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(6)(iv))**

The chemical manufacturer or importer shall also provide distributors or employers with a safety data sheet upon request.

**1910.1200(g)(7)(i)**

Distributors shall ensure that safety data sheets, and updated information, are provided to other distributors and employers with their initial shipment and with the first shipment after a safety data sheet is updated;

**1910.1200(g)(7)(ii)**

The distributor shall either provide safety data sheets with the shipped containers, or send them to the other distributor or employer prior to or at the time of the shipment;

**[1910.1200(g)(7)(iii)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(7)(iii))**

Retail distributors selling hazardous chemicals to employers having a commercial account shall provide a safety data sheet to such employers upon request, and shall post a sign or otherwise inform them that a safety data sheet is available;

**1910.1200(g)(7)(iv)**

Wholesale distributors selling hazardous chemicals to employers over-the-counter may also provide safety data sheets upon the request of the employer at the time of the over-the-counter purchase, and shall post a sign or otherwise inform such employers that a safety data sheet is available;

**1910.1200(g)(7)(v)**

If an employer without a commercial account purchases a hazardous chemical from a retail distributor not required to have safety data sheets on file (i.e., the retail distributor does not have commercial accounts and does not use the materials), the retail distributor shall provide the employer, upon request, with the name, address, and telephone number of the chemical manufacturer, importer, or distributor from which a safety data sheet can be obtained;

**1910.1200(g)(7)(vi)**

Wholesale distributors shall also provide safety data sheets to employers or other distributors upon request; and,

**1910.1200(g)(7)(vii)**

Chemical manufacturers, importers, and distributors need not provide safety data sheets to retail distributors that have informed them that the retail distributor does not sell the product to commercial accounts or open the sealed container to use it in their own workplaces.

**[1910.1200(g)(8)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(8))**

The employer shall maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and shall ensure that they are readily accessible during each work shift to employees when they are in their work area(s). (Electronic access and other alternatives to maintaining paper copies of the safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)

**[1910.1200(g)(9)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(9))**

Where employees must travel between workplaces during a workshift, *i.e.*, their work is carried out at more than one geographical location, the material safety data sheets may be kept at the primary workplace facility. In this situation, the employer shall ensure that employees can immediately obtain the required information in an emergency.

**[1910.1200(g)(10)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(g)(10))**

Safety data sheets may be kept in any form, including operating procedures, and may be designed to cover groups of hazardous chemicals in a work area where it may be more appropriate to address the hazards of a process rather than individual hazardous chemicals. However, the employer shall ensure that in all cases the required information is provided for each hazardous chemical, and is readily accessible during each work shift to employees when they are in their work area(s).

**1910.1200(g)(11)**

Safety data sheets shall also be made readily available, upon request, to designated representatives, the Assistant Secretary, and the Director, in accordance with the requirements of § 1910.1020(e).

**[1910.1200(h)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(h))**

*Employee information and training*.

**1910.1200(h)(1)**

Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets.

**1910.1200(h)(2)**

*Information*. Employees shall be informed of:

**1910.1200(h)(2)(i)**

The requirements of this section;

**1910.1200(h)(2)(ii)**

Any operations in their work area where hazardous chemicals are present; and,

**1910.1200(h)(2)(iii)**

The location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and safety data sheets required by this section.

**[1910.1200(h)(3)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(h)(3))**

*Training*. Employee training shall include at least:

**1910.1200(h)(3)(i)**

Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.);

**1910.1200(h)(3)(ii)**

The physical, health, simple asphyxiation, combustible dust, and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area;

**1910.1200(h)(3)(iii)**

The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used; and,

**[1910.1200(h)(3)(iv)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(h)(3)(iv))**

The details of the hazard communication program developed by the employer, including an explanation of the labels received on shipped containers and the workplace labeling system used by their employer; the safety data sheet, including the order of information and how employees can obtain and use the appropriate hazard information.

**[1910.1200(i)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(i))**

*Trade secrets*.

**1910.1200(i)(1)**

The chemical manufacturer, importer, or employer may withhold the specific chemical identity, including the chemical name, other specific identification of a hazardous chemical, or the exact percentage (concentration) of the substance in a mixture, from the safety data sheet, provided that:

**1910.1200(i)(1)(i)**

The claim that the information withheld is a trade secret can be supported;

**1910.1200(i)(1)(ii)**

Information contained in the safety data sheet concerning the properties and effects of the hazardous chemical is disclosed;

**1910.1200(i)(1)(iii)**

The safety data sheet indicates that the specific chemical identity and/or percentage of composition is being withheld as a trade secret; and,

**1910.1200(i)(1)(iv)**

The specific chemical identity and percentage is made available to health professionals, employees, and designated representatives in accordance with the applicable provisions of this paragraph (i).

**1910.1200(i)(2)**

Where a treating physician or nurse determines that a medical emergency exists and the specific chemical identity and/or specific percentage of composition of a hazardous chemical is necessary for emergency or first-aid treatment, the chemical manufacturer, importer, or employer shall immediately disclose the specific chemical identity or percentage composition of a trade secret chemical to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The chemical manufacturer, importer, or employer may require a written statement of need and confidentiality agreement, in accordance with the provisions of paragraphs (i)(3) and (4) of this section, as soon as circumstances permit.

**1910.1200(i)(3)**

In non-emergency situations, a chemical manufacturer, importer, or employer shall, upon request, disclose a specific chemical identity or percentage composition, otherwise permitted to be withheld under paragraph (i)(1) of this section, to a health professional (i.e. physician, industrial hygienist, toxicologist, epidemiologist, or occupational health nurse) providing medical or other occupational health services to exposed employee(s), and to employees or designated representatives, if:

**1910.1200(i)(3)(i)**

The request is in writing;

**1910.1200(i)(3)(ii)**

The request describes with reasonable detail one or more of the following occupational health needs for the information:

**1910.1200(i)(3)(ii)(A)**

To assess the hazards of the chemicals to which employees will be exposed;

**1910.1200(i)(3)(ii)(B)**

To conduct or assess sampling of the workplace atmosphere to determine employee exposure levels;

**1910.1200(i)(3)(ii)(C)**

To conduct pre-assignment or periodic medical surveillance of exposed employees;

**1910.1200(i)(3)(ii)(D)**

To provide medical treatment to exposed employees;

**1910.1200(i)(3)(ii)(E)**

To select or assess appropriate personal protective equipment for exposed employees;

**1910.1200(i)(3)(ii)(F)**

To design or assess engineering controls or other protective measures for exposed employees; and,

**1910.1200(i)(3)(ii)(G)**

To conduct studies to determine the health effects of exposure.

**1910.1200(i)(3)(iii)**

The request explains in detail why the disclosure of the specific chemical identity or percentage composition is essential and that, in lieu thereof, the disclosure of the following information to the health professional, employee, or designated representative, would not satisfy the purposes described in paragraph (i)(3)(ii) of this section:

**1910.1200(i)(3)(iii)(A)**

The properties and effects of the chemical;

**1910.1200(i)(3)(iii)(B)**

Measures for controlling workers' exposure to the chemical;

**1910.1200(i)(3)(iii)(C)**

Methods of monitoring and analyzing worker exposure to the chemical; and,

**1910.1200(i)(3)(iii)(D)**

Methods of diagnosing and treating harmful exposures to the chemical;

**1910.1200(i)(3)(iv)**

The request includes a description of the procedures to be used to maintain the confidentiality of the disclosed information; and,

**1910.1200(i)(3)(v)**

The health professional, and the employer or contractor of the services of the health professional (i.e. downstream employer, labor organization, or individual employee), employee, or designated representative, agree in a written confidentiality agreement that the health professional, employee, or designated representative, will not use the trade secret information for any purpose other than the health need(s) asserted and agree not to release the information under any circumstances other than to OSHA, as provided in paragraph (i)(6) of this section, except as authorized by the terms of the agreement or by the chemical manufacturer, importer, or employer.

**1910.1200(i)(4)**

The confidentiality agreement authorized by paragraph (i)(3)(iv) of this section:

**1910.1200(i)(4)(i)**

May restrict the use of the information to the health purposes indicated in the written statement of need;

**1910.1200(i)(4)(ii)**

May provide for appropriate legal remedies in the event of a breach of the agreement, including stipulation of a reasonable pre-estimate of likely damages; and,

**1910.1200(i)(4)(iii)**

May not include requirements for the posting of a penalty bond.

**1910.1200(i)(5)**

Nothing in this standard is meant to preclude the parties from pursuing non-contractual remedies to the extent permitted by law.

**1910.1200(i)(6)**

If the health professional, employee, or designated representative receiving the trade secret information decides that there is a need to disclose it to OSHA, the chemical manufacturer, importer, or employer who provided the information shall be informed by the health professional, employee, or designated representative prior to, or at the same time as, such disclosure.

**1910.1200(i)(7)**

If the chemical manufacturer, importer, or employer denies a written request for disclosure of a specific chemical identity or percentage composition, the denial must:

**1910.1200(i)(7)(i)**

Be provided to the health professional, employee, or designated representative, within thirty days of the request;

**1910.1200(i)(7)(ii)**

Be in writing;

**1910.1200(i)(7)(iii)**

Include evidence to support the claim that the specific chemical identity or percent of composition is a trade secret;

**1910.1200(i)(7)(iv)**

State the specific reasons why the request is being denied; and,

**1910.1200(i)(7)(v)**

Explain in detail how alternative information may satisfy the specific medical or occupational health need without revealing the trade secret.

**1910.1200(i)(8)**

The health professional, employee, or designated representative whose request for information is denied under paragraph (i)(3) of this section may refer the request and the written denial of the request to OSHA for consideration.

**1910.1200(i)(9)**

When a health professional, employee, or designated representative refers the denial to OSHA under paragraph (i)(8) of this section, OSHA shall consider the evidence to determine if:

**1910.1200(i)(9)(i)**

The chemical manufacturer, importer, or employer has supported the claim that the specific chemical identity or percentage composition is a trade secret;

**1910.1200(i)(9)(ii)**

The health professional, employee, or designated representative has supported the claim that there is a medical or occupational health need for the information; and,

**1910.1200(i)(9)(iii)**

The health professional, employee or designated representative has demonstrated adequate means to protect the confidentiality.

**1910.1200(i)(10)(i)**

If OSHA determines that the specific chemical identity or percentage composition requested under paragraph (i)(3) of this section is not a "bona fide" trade secret, or that it is a trade secret, but the requesting health professional, employee, or designated representative has a legitimate medical or occupational health need for the information, has executed a written confidentiality agreement, and has shown adequate means to protect the confidentiality of the information, the chemical manufacturer, importer, or employer will be subject to citation by OSHA.

**1910.1200(i)(10)(ii)**

If a chemical manufacturer, importer, or employer demonstrates to OSHA that the execution of a confidentiality agreement would not provide sufficient protection against the potential harm from the unauthorized disclosure of a trade secret, the Assistant Secretary may issue such orders or impose such additional limitations or conditions upon the disclosure of the requested chemical information as may be appropriate to assure that the occupational health services are provided without an undue risk of harm to the chemical manufacturer, importer, or employer.

**1910.1200(i)(11)**

If a citation for a failure to release trade secret information is contested by the chemical manufacturer, importer, or employer, the matter will be adjudicated before the Occupational Safety and Health Review Commission in accordance with the Act's enforcement scheme and the applicable Commission rules of procedure. In accordance with the Commission rules, when a chemical manufacturer, importer, or employer continues to withhold the information during the contest, the Administrative Law Judge may review the citation and supporting documentation "in camera" or issue appropriate orders to protect the confidentiality of such matters.

**1910.1200(i)(12)**

Notwithstanding the existence of a trade secret claim, a chemical manufacturer, importer, or employer shall, upon request, disclose to the Assistant Secretary any information which this section requires the chemical manufacturer, importer, or employer to make available. Where there is a trade secret claim, such claim shall be made no later than at the time the information is provided to the Assistant Secretary so that suitable determinations of trade secret status can be made and the necessary protections can be implemented.

**1910.1200(i)(13)**

Nothing in this paragraph shall be construed as requiring the disclosure under any circumstances of process information which is a trade secret.

**[1910.1200(j)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(j))**

*Effective dates*.

**[1910.1200(j)(1)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(j)(1))**

Employers shall train employees regarding the new label elements and safety data sheets format by December 1, 2013.

**[1910.1200(j)(2)](https://www.osha.gov/pls/oshaweb/owalink.query_links?src_doc_type=STANDARDS&src_unique_file=1910_1200&src_anchor_name=1910.1200(j)(2))**

Chemical manufacturers, importers, distributors, and employers shall be in compliance with all modified provisions of this section no later than June 1, 2015, except:

**1910.1200(j)(2)(i)**

After December 1, 2015, the distributor shall not ship containers labeled by the chemical manufacturer or importer unless the label has been modified to comply with paragraph (f)(1) of this section.

**1910.1200(j)(2)(ii)**

All employers shall, as necessary, update any alternative workplace labeling used under paragraph (f)(6) of this section, update the hazard communication program required by paragraph (h)(1), and provide any additional employee training in accordance with paragraph (h)(3) for newly identified physical or health hazards no later than June 1, 2016.

**1910.1200(j)(3)**

Chemical manufacturers, importers, distributors, and employers may comply with either § 1910.1200 revised as of October 1, 2011, or the current version of this standard, or both during the transition period.   
  
[59 FR 17479, April 13, 1994; 59 FR 65947, Dec. 22, 1994; 61 FR 5507, Feb. 13, 1996; 77 FR 17785, March 26, 2012]

\* **Accessibility Assistance:** Contact the OSHA Directorate of Standards and Guidance at 202-693-1950 for assistance accessing PDF materials.

[78 FR 9313, Feb. 8, 2013]

For the most current version of the regulation, go to ecfr.gov

<https://www.ecfr.gov/cgi-bin/text-idx?SID=c66439d899544ae982b30d5951ed72bf&mc=true&node=se29.6.1910_11200&rgn=div8>

# Hazard Communication Checklist

1. Has a list of all hazardous chemicals in the workplace been prepared?
2. Does the company have a method for updating the hazardous chemical list?
3. Has the company obtained or developed a safety data sheet for each hazardous chemical used?
4. Are procedures in place to ensure labeling for containers of hazardous chemicals?
5. Are employees aware of the requirements of the Hazard Communication Standard and information specific to their workplace?
6. Are employees familiar with the hazards of the chemicals in their workplace?
7. Have employees been informed of the hazards associated with performing non-routine tasks?
8. Do employees understand how to detect the presence or release of hazardous chemicals in their workplace?
9. Are employees trained about proper work practices and personal protective equipment in relation to the hazardous chemicals in their work area?
10. Does the training program provide information on appropriate first aid, emergency procedures, and the likely symptoms of overexposure?
11. Does the training program include an explanation of labels and warnings that are used in each work area?
12. Does the training describe where employees obtain data sheets and how employees use them?
13. Is a system in place to ensure that new employees are trained before beginning work?
14. Is a system in place to identify new hazardous chemicals before they are introduced into a work area?
15. Is a system in place to inform employees of the hazards associated with newly introduced chemicals?