

Introduction

The Hazard Communication Standard, also known as the Right-to-Know Law, was first enacted on November 25, 1983, by the Occupational Safety and Health Administration (OSHA). It was later modified with minor changes and technical amendments to take effect March 11, 1994. The standard is referenced by Title 29, *Code of Federal Regulations* (CFR) 1910.1200 and amended in the February 9, 1994, *Federal Register*.

The purpose of the standard is to ensure that chemical hazards in the workplace are identified and evaluated and that information concerning these hazards is communicated to employers and employees. This transfer of information is to be accomplished by means of a comprehensive hazard communication program, which includes container labeling and other forms of warning, Material Safety Data Sheets (MSDS) and employee training.

Categories of the Right-to-Know Law The standard is comprised of six major categories: **Hazard Determination, Material Safety Data Sheets, Chemical Labeling, Employee Training, The Written Program and Trade Secrets.**

The first category, **Hazard Determination** (29 CFR 1910.1200 (d)) requires employers to identify and evaluate all chemicals used in the workplace. This evaluation is based on two hazard categories: listed and defined.

Listed hazards are those included in one of the following references: OSHA 29 CFR 1910.1000 Z tables; American Conference of

Governmental Industrial Hygienists (ACGIH) Threshold Limit Values (TLV); the National Toxicology Program; or the International Agency for Research on Cancer.

Defined hazards are those specified by OSHA as physical or health hazards, such as combustible liquids, oxidizers, corrosives, reproductive toxins and non-toxins.

Chemicals exempt from the standard include: wood and wood products (except wood dust), regulated hazardous waste, tobacco products, food, drugs, cosmetics, alcoholic beverages, agricultural or vegetable seed treated with pesticides, various types of pesticides, nuisance particulate, and articles. These are exempt because they are all regulated by separate government standards.

The second major category of the standard is the **Material Safety Data Sheet** (29 CFR 1910.1200(g)). Once you have evaluated and identified all of the hazardous chemicals in your workplace, you must document them and obtain an MSDS for each item. MSDS are available from the chemical supplier or manufacturer. These sheets contain specific chemical hazard information such as: physical hazards, health hazards, routes of entry, exposure limits (if any), precautions for safe handling and use (if known), spill clean-up procedures, personal protective equipment to be used, emergency and first aid procedures, and the name, address and telephone number of the chemical manufacturer. All of the information on the MSDS must be in English and be available to employees working with or near the hazardous chemical.

The third category, **Chemical Labeling**, (29 CFR 1910.1200(f)) requires labels on all chemicals in the workplace. The label should contain the identity of the material, appropriate hazard warnings and the name and address of the manufacturer, importer or other responsible party. Other appropriate warning information (such as pictures and symbols) may be used in conjunction with the hazard information. Labels must be legible and in English. Labels in a second language may be added as long as the English label is present. For more information on labeling, please refer to EZ Facts® Document 200, "Chemical Labeling Requirements."

The fourth category, **Employee Training** (29 CFR 1910.1200(h)) requires employers to 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 physical or health hazard is introduced into the area. The training shall include: methods and observations used to detect the presence or release of the chemical, physical and health hazards, protective measures, labeling and explanation of the MSDS.

The fifth category is **The Written Program** (29 CFR 1910.1200(e)). It requires employers to fully document the actions taken to comply with all of the provision of the standard and to list the responsible person(s) for each area of the program. A copy of the written program must be made available, upon request, to all employees and OSHA officials.

The sixth and final category of Hazard Communication involves manufacturer **Trade Secrets** (29 CFR 1910.1200(i)). The chemical manufacturer may withhold the chemical identity, including the chemical name and other specific information, from the MSDS. However, under special conditions, this secret information may be obtained by health care professionals.