



Hazard Communication Standards – New Regulatory Updates

The Federal Hazard Communication Standard 29 CFR 1910.1200 has been revised to align with the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS). Completing a regulatory process that began with an advance notice of proposed rulemaking in 2006, the three major areas of change are in hazard classification, labels, and safety data sheets.

Hazard classification

The definitions of hazard have been changed to provide specific criteria for classification of health and physical hazards, as well as classification of mixtures. These specific criteria are intended to ensure that evaluations of hazardous effects are consistent across manufacturers, and that labels and safety data sheets are more accurate.

Under both the previous Hazard Communication Standard (HCS) and the revised HCS, an evaluation of chemical hazards must be performed considering the available scientific evidence concerning such hazards. Under the current HCS, parameters for the evaluation were provided, but not specific, detailed criteria.

The revised HCS has specific criteria for each health and physical hazard, along with detailed instructions for hazard evaluation and determinations as to whether mixtures or substances are covered.

Labels

Under the previous Hazard Communication Standard (HCS), the label preparer was required to provide the identity of the chemical, and the appropriate hazard warnings. This could be done in a variety of ways, and the method to convey the information was left to the preparer. Under the revised HCS, once the hazard classification is completed, the standard specifies what information is to be provided for each hazard class and category. Labels will require the following elements:

- **Pictogram:** 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. Each pictogram consists of a different symbol on a white background within a red square frame set on a point (i.e. a red diamond). There are nine pictograms under the GHS. However, only eight pictograms are required under the HCS.
- **Signal words:** A single 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 are "danger" and "warning". "Danger" is used for the more severe hazards, while "warning" is used for less severe hazards.
- **Hazard Statement:** 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.
- **Precautionary Statement:** a phrase that describes recommended measures to be taken to minimize or prevent adverse effects resulting from exposure to a hazardous chemical, or improper storage or handling of a hazardous chemical.

Employers may choose to label workplace containers either with the same label that would be on shipped containers for the chemical under the revised rule, or with label alternatives that meet the requirements for the standard.

Safety Data Sheets

The revised HCS requires a specific format for a safety data sheet, although the information on the SDS will remain essentially the same as the current standard. The current Hazard Communication Standard (HCS) indicates what information has to be included on an SDS but does not specify a format for presentation or order of information. The revised HCS requires that the information will now have a specified 16-section format.

Compliance Dates

The table below summarizes the phase-in dates required under the revised Hazard Communication Standard (HCS).

Effective Completion Date	Requirement(s)	Who
12/1/2013	Train employees on the new label elements and safety data sheet (SDS) format.	Employers
6/1/2015 12/1/2015	Compliance with all modified provisions of this final rule, except: The Distributor shall not ship containers labeled by the chemical manufacturer or importer unless it is a GHS label.	Chemical manufacturers, importers, distributors and employers
6/1/2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
Transition Period to the effective completion dates noted above	May comply with either 29 CFR 1910.1200 (the final standard), or the current standard, or both.	Chemical manufacturers, importers, distributors, and employers

Impact Assessment:

Companies will need to take action to comply with the revised federal hazard classification, labeling, and safety data sheet requirements. Management should develop a plan to ensure compliance with these new requirements.

Actions necessary for compliance include:

- Hazard communication training materials will need to be revised to address the new labeling requirements and SDS format, and subsequently staff will need to complete the revised training by December 1, 2013.
- Employees must receive training on any new hazards indicated on revised SDS sheets by June 1, 2016.
- Companies will need to replace all of the “older” versions of the material safety data sheets (MSDSs) with revised SDS sheets no later than June 1, 2016.

Resources:

The revised HCS, along with additional supporting information, frequently asked questions and a fact sheet can be accessed on the Federal OSHA Hazard Communication website at:

<http://www.osha.gov/dsg/hazcom/index.html>

This Tribal First Risk Control Consulting fact sheet is not intended to be exhaustive. The discussion and best practices suggested herein should not be regarded as legal advice. Readers should pursue legal counsel or contact their insurance providers to gain more exhaustive advice. For more information on this topic, please contact Tribal First Risk Control Consulting at (888) 737-4752 or riskcontrol@tribalfirst.com.