OSHA Hazard Communication Standard--Federal

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Any employer who manufactures, imports, distributes, stores or uses in the workplace chemicals which are determined to be hazardous must inform employees of such hazards by means of:

- A written Hazard Communication Program,
- Labels and other forms of warning,
- Material Safety Data Sheets (MSDS), and
- Information and training.

HAZARD COMMUNICATION PROGRAM

Employers must develop and implement a written Hazard Communication Program for their workplace which specifies how the requirements for labeling and other forms of warning, Material Safety Data Sheets (MSDS), and employee information and training will be met. It must also include the following:

- A list of the hazardous chemicals present in the workplace, using the identity referenced in the MSDS.
- The methods the employer will use to inform employees of the hazards of non-routine tasks.
- The methods the employer will use to inform contractor employers of the hazards their employees may be exposed to in the workplace.

The employer shall make the written Hazard Communication Program available, upon request, to employees, their representatives, and officials of the U.S. Department of Labor (OSHA) and the U.S. Department of Health and Human Services.

LABELS AND OTHER FORMS OF WARNING

Chemical manufacturers, importers and distributors shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked with the following information:

- Identity of the hazardous chemical(s).
- Appropriate hazard warnings.
- Name and address of the chemical manufacturer, importer or other responsible party.

The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers and which are intended for the immediate use of the employee who performs the transfer.

The employer shall ensure that labels or other forms of warning are legible, in English, and prominently displayed. Employers employing non-English speaking workers may label this material in the worker’s language as long as it is also labelled in English.

1. This document, Fact Sheet FRE-99, is a new (7/92) version of the document extracted from the "1992 Handbook of Regulations Affecting Florida Farm Employers and Employees" published January 1992 by the Florida Cooperative Extension Service. For more information, contact your county Cooperative Extension Service office.

2. Professor Emeritus, Food and Resource Economics Department, Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida, Gainesville.
Employers are not required to label pesticides which are subject to the labeling requirements of the Federal Insecticide, Fungicide and Rodenticide Act.

**MATERIAL SAFETY DATA SHEETS**

A Material Safety Data Sheet (MSDS) is a document, written in English, containing standardized information about the properties and the hazards of toxic substances. Manufacturers and importers of toxic chemicals are required to prepare, update, and furnish MSDSs to their distributors and employers.

If an MSDS is not furnished with a shipment that has been labeled as hazardous chemicals, the purchaser (employer) shall obtain an MSDS from the chemical manufacturer, importer or distributor.

Employers shall have on file an MSDS for each hazardous substance in the workplace and shall insure that they are readily accessible during each work shift to employees when they are in the work area(s).

MSDSs shall also be readily available, upon request, to official representatives of the U.S. Department of Labor (OSHA), and the U.S. Department of Health and Human Services.

**EMPLOYEE INFORMATION AND TRAINING**

Employers shall provide employees with information and training on hazardous chemicals in the work area at the time of their initial assignment and whenever a new hazard is introduced into their work area.

- **Information.** Employees shall be informed of the:
  - Information and training requirements of the law,
  - Any operations in their work area where hazardous chemicals are present, and
  - The location and availability of the written Hazard Communication Program, including the required list(s) of hazardous chemicals and required MSDSs.

- **Training.** Employee training shall include at least:
  - Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.
  - The physical and health hazards of the chemicals in the work area.
  - The measures employees shall 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.
  - The details of the Hazard Communication Program developed by the employer, including an explanation of the labeling system and the MSDS, and how employees can obtain and use the appropriate hazard information.

**ADDITIONAL INFORMATION**


**RESPONSIBLE AGENCY**

U.S. Department of Labor: See the document Occupational Safety and Health (OSHA)--Federal

**SARA, TITLE III, EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW LAW**

The purpose of this law is to encourage emergency planning efforts at the state and local levels and to increase the public's access to information about the potential chemical hazards that may exist in their communities.

Any facility that produces, uses or stores extremely hazardous substances (EHS) in excess of the Threshold Planning Quantity (TPQ) must comply
with some or all requirements of this law. In addition, all businesses which have a spill or an unauthorized release of an EHS in excess of the Reportable Quantity (RQ) must immediately report such spills or releases.

There are approximately 1,300 EHSs, of which a couple of hundred are used in agriculture. About 150 commonly used pesticides are on the list. Employers who have restricted use and/or danger labeled pesticides or chemicals on their property in sufficient quantities may need to comply with this law.

To determine if your business needs to be in compliance with this law you should obtain the "How to Comply Handbook" from the State Emergency Response Commission, 2740 Centerview Drive, Tallahassee, FL 32399-2149 (Phone 904-488-1472) or obtain a copy of the publication "Agricultural Businesses' Responsibilities under the Emergency Planning and Community Right-to-Know Law." This publication is available from the Florida Farm Bureau Federation, Florida Fruit and Vegetable Association or the Institute of Food and Agricultural Sciences, University of Florida.