

HAZARD COMMUNICATION STANDARD UPDATE

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AGENDA

Summary of the Final Rule

Transition

Challenges & Next Steps

Questions



SUMMARY OF HCS 2024 FINAL RULE

THE FINAL RULE ADDRESSED THE FOLLOWING ISSUES

- Updated to maintain alignment with the GHS (Primarily revision 7)
- Addressed issues identified during implementation of HCS 2012
- Addressed issues of concern for those complying with WHMIS 2015
- Improved alignment with other U.S. agencies

MAINTAINING ALIGNMENT WITH GHS

- Appendix A (health hazards): mostly editorial
 - Revised health hazard definitions
 - Updated Skin corrosion/irritation (Rev. 8) and Serious eye damage/eye irritation chapters
 - General updates to hazard classes
- Appendix B (physical hazards):
 - Flammable gases – expanding hazard categories
 - Desensitized explosives
 - Aerosols – adding nonflammable aerosol category 3
 - Chemicals Under Pressure
- Appendix C (label elements)
 - New or updated hazards, updated guidance, and precautionary statements
- Appendix D (SDS)
 - Updates to SDS Sections 9, 11

UPDATED LABEL ELEMENTS (APPENDIX C)

- New or updated hazards
 - Updated from changes to Appendix A and B
- Updated guidance
 - Relating to medical response statements
 - On the use of pictograms
- Precautionary statements
 - Updated instructions to statements to clarify when they are appropriate include on the label
 - Updated statements for better understanding

NEW FLEXIBILITY FOR LABELING

- OSHA has added additional flexibility for updating labels based on when container is released for shipment
 - Chemical manufactures/importers/distributers may opt not to relabel containers provided:
 - They provide a label for each individual container

SMALL PACKAGES

- Abbreviated labeling requirements on immediate container when full label is infeasible for containers
 - Container with 100ml or less capacity:
 - Product Identifier; Pictogram(s); signal word; Chemical manufacturer's name and phone number and statement that the full label is on the immediate outer package
 - Full label would still be required on outer package
 - Containers 3 ml or less capacity:
 - No label required except the container must provide the product identifier
 - **Only where the label interferes with the normal use of the container**

SDS UPDATES (APPENDIX D)

- Section 1 – Identification
 - OSHA Clarified that the address and telephone number for the manufacturer, importer or other responsible party must be U.S.
- Section 2 – Hazard Identification
 - clarification presentation of chemical hazard information
 - section 2(a) – hazard classification including hazards due to a change in chemical's physical form
 - Section 2(b) - Hazards classified **due to chemical reaction products** associated with known or reasonably anticipated uses or applications
 - Language was updated for clarity
- Section 3- Composition/Information on ingredients
 - would allow for claiming a trade secret for concentration ranges by using prescriptive concentration ranges

SDS UPDATES (APPENDIX D)

- Section 8 – Exposure controls/Personal protection
 - clarification on inclusion of PEL, TLV, or other exposure limits for individual ingredients or constituents in mixtures
- Section 9 – physical and chemical properties
 - e.g. inclusion of particle size
- Section 11
 - e.g. inclusion of interactive effects and use of SAR/QSAR/read across

COORDINATION WITH FEDERAL PARTNERS

- DOT
 - Bulk Shipment
 - The label must be on the immediate container, transmitted with the shipping papers or the bills of lading, or, transmitted by technological or electronic means so that it is immediately available to workers in printed form on the receiving end of shipment.
 - Allow the use of a HCS pictogram on the label for the same when a similar DOT placard is on the container.
- EPA
 - Modeled the *released for shipment* definition after EPA's definition

COORDINATION WITH INTERNATIONAL PARTNERS

- Canada

- Allowing the use of the exclamation pictogram for HNOCs
- Updated trade secret use of prescribed concentration ranges to mirror Canada's longstanding use of prescribed ranges

- Other

- Clarified what hazards are to be presented on the label versus the SDS

TRANSITION



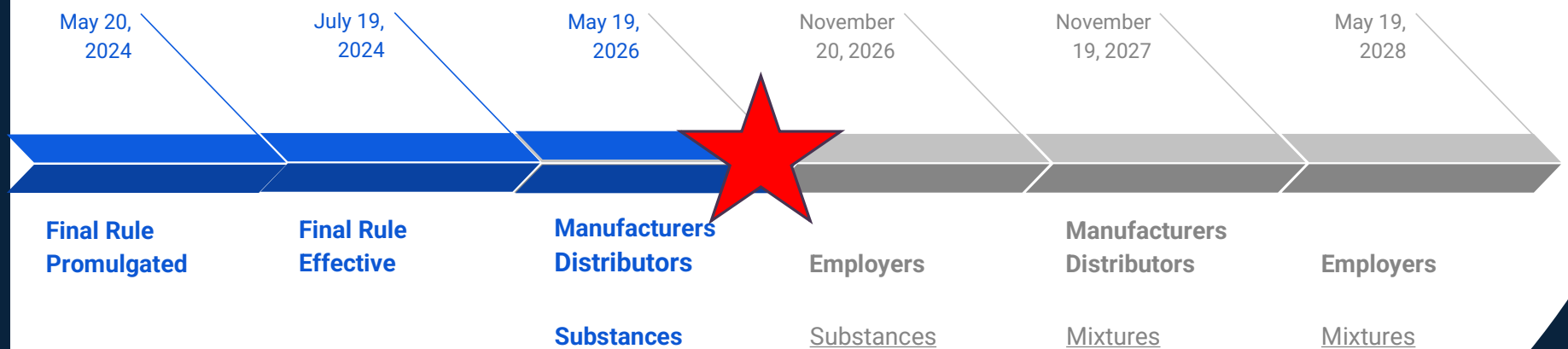
OSHA Road Map to HCS 2024

- ▶ **Final Rule Published**
 - ▶ May 20, 2024: 89 FR 44144-44461
- ▶ **Correction notices**
 - ▶ October 9, 2024: 89 FR 81829-81836
 - ▶ January 8, 2026: 91 FR 562-598
 - ▶ February 13, 2026: 91 FR 6760
- ▶ **Extension of compliance dates**
 - ▶ January 15, 2026: 91 FR 1695-1696
- ▶ **Publication of HCS 2024 Instruction**
 - ▶ May 19, 2026 [CPL-02-02-079_0.pdf](#)

COMPLIANCE DATES

Compliance Date	Requirement(s)	Who
January 19, 2026 May 26, 2026	Update labels and SDSs for substances	Chemical manufacturers, importers, distributors and employers
July 20, 2026 November 20, 2026	Update workplace labels, hazard communication program and training as necessary	Employers
July 19, 2027 November 19, 2027	Update labels and SDSs for mixtures	Chemical manufacturers, importers, distributors and employers
January 18, 2028 May 19, 2028	Update workplace labels, hazard communication program and training as necessary	Employers
May 20, 2024	May comply with either 29 CFR 1910.1200 (this final standard), or the current standard, or both	Chemical manufacturers, importers, distributors, and employers

HazCom 2024 Timeline



MANUFACTURERS/IMPORTERS AND DISTRIBUTORS

- Review classification for all chemicals produced
 - Update classification as necessary (primarily physical hazards)
 - Update labels according to updated classification/precautionary statements
 - Review SDSs to ensure they comply with updated requirements
- Flexibility provided in (f)(11) for updating packages that have already been released for shipment
- Distributors can continue to rely on manufacturers labels
- There is no obligation to proactively send downstream customers updated labels or SDS. Updated SDS must be transmitted on or before the next shipment after updating.

DOWNSTREAM USERS

- Employers, as necessary, will need to update their workplace labels, hazard communication program, and training if there are new hazards or new hazardous chemicals introduced into the workplace
- OSHA has given downstream users an extra six months for compliance to update their workplace and train employees on new hazards
- While downstream users must maintain the label on the container and SDSs, there is no obligation to proactively obtain new labels or SDSs

IMPORT/EXPORT

- Import

- The importer obligations begin when the importer takes control of the container of the hazardous chemical

- Export

- OSHA has provided an accommodation for containers of hazardous chemicals that are sealed and sent directly to destinations outside the US

[HCS labeling of imports and exports | Occupational Safety and Health Administration \(osha.gov\)](#)



CHALLENGES & NEXT STEPS

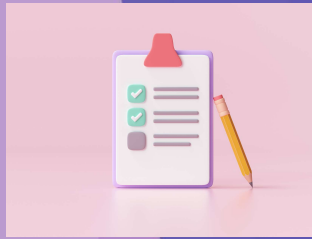
Challenges with Supplier SDSs

- ▶ Suppliers unresponsive
- ▶ Only HCS-2012 compliant SDS sent
- ▶ Suppliers stating “nothing has changed” without providing evidence
- ▶ Suppliers sending a new date but no new material
- ▶ No US Address
- ▶ Others?

Due Diligence

- ▶ Document your attempts to contact suppliers and distributors
- ▶ Maintain all correspondence with suppliers
- ▶ Provide a clear timeline for when you expect to achieve HCS 2024 compliance
- ▶ Document all classification changes for raw materials
- ▶ If a supplier does not provide an updated SDS, document how you confirmed the raw material's classification

Written Procedures



- ✓ How to retrieve SDSs electronically, including back-up systems to be used in the event of failure of the electronic equipment; and how employees obtain access to the SDS.
- ✓ Procedure to follow if the SDS is not received at the time of the first shipment.
- ✓ Procedure to follow if it is suspected that the SDS does not include all of the required information (e.g., missing chemical ingredients or hazards).
- ✓ Procedure to follow to determine if the SDS is current.
- ✓ For chemical manufacturers or importers, procedures for updating the SDS when new and significant health information are found.
- ✓ Procedure to train new employees at the time of their initial assignment and to train employees
- ✓ When a new hazard is introduced into the workplace.
- ✓ Procedure to train employees when they are potentially exposed to chemicals used by other employers, multi-employer worksites.

What do Distributors need to know?

- ▶ If you repackage a product, purchased from an upstream supplier, or markets that product under a private brand name, you are a chemical manufacturer
- ▶ If you substitute your name on the SDS provided by your upstream supplier, you become responsible for the SDS (if you just add your name, you are not responsible for any information on the SDS)
- ▶ Provide training to your customers on understanding SDSs and labels
- ▶ Have procedures in place to:
 - ▶ Replace old SDSs with updated SDSs
 - ▶ Send updated SDSs received from upstream suppliers to your customers at time of first shipment

OSHA GUIDANCE

- OSHA will continue to update guidance documents to aid in implementation of the Final Rule, for example:
 - Label Fact Sheet/Quick Card
 - SDS Fact Sheet/Quick Card
 - FAQs
- Where to find materials:
 - Final rule information and guidance: [OSHA's Final Rule to Amend the Hazard Communication Standard | Occupational Safety and Health Administration](#)
 - [Hazard Communication - Overview | Occupational Safety and Health Administration \(osha.gov\)](#)
 - Directive HCS 2024: [CPL-02-02-079_0.pdf](#)

QUESTIONS

