

GHS Information Bulletin

Update: October 30, 2015

Background

The way health and safety information about our product is communicated is changing. The Hazard Communication Standard is a set of rules written by the United States Occupational Safety and Health Administration (OSHA) to guide the way important health and safety information about products is provided. OSHA revised the rules in 2012 to align the United States with a resolution passed by the United Nations which encourages member countries to adopt a globally harmonized system of classifying hazards and labelling chemical products. The purpose of this initiative is to provide consistent and easy to understand tools for communicating the hazards of chemical products around the world. The UN resolution is known as GHS. The updated version of the OSHA rules which include the features of GHS is referred to as HAZCOM 2012.

As written, HAZCOM 2012 requires manufacturers to update Safety Data Sheets (SDS) and labels, including the addition of universally recognized pictograms by June 1, 2015. Distributors were expected to comply by December 1, 2015.

Current Status

There have been significant challenges with the implementation of GHS in the United States. There are two main areas of concern for companies that manufacture mixtures of complex raw materials, such as AkzoNobel Vehicle Refinishes.

- Ø HAZCOM 2012 requires the same implementation date for chemical substance manufacturers as it does for manufacturers of mixtures, and
- Ø HAZCOM 2012 as written provides an unrealistically short sell-through period for products already in the distribution chain.

In recognition of the challenges faced by industry, on October 31, 2014, OSHA released an Enforcement Discretion Policy to provide some measure of relief without officially extending the original compliance date for manufacturers. The policy states that OSHA will exercise its enforcement discretion in cases where a chemical mixture manufacturer has performed their due diligence and made good faith efforts to comply with HAZCOM 2012, but cannot meet the deadline due to the lack of classification information provided by its suppliers. On February 9, 2015 OSHA released a memorandum to its regional administrators outlining their Enforcement Discretion Policy. OSHA stated that manufacturers of mixtures will be able to continue to use the existing MSDS and Labels while GHS compliant materials are developed. OSHA stated that distributors will be able to distribute products labeled under this Enforcement Discretion Policy until December 1, 2017.

Actions and Path Forward

We have been and continue to work with our suppliers to expedite the flow of information as we continue to make every effort to bring all of our products into compliance with HAZCOM 2012 as soon as possible. If questions are received from customers or federal or state level OSHA representatives, AkzoNobel Performance Coatings (which includes Vehicle Refinishes and Specialty Coatings) will provide assistance in responding to those questions and will provide documentation of our reasonable due diligence and good faith efforts to comply.

Expected Dates for GHS Compliance

December 1, 2015: Expected GHS SDS Compliance
April 30, 2016: Expected GHS Label Compliance
December 1, 2017: **All** stock must be fully labeled and shipped in compliance with HAZCOM 2012 (All existing stock previously labeled with HCS 1994 must be re-labeled to HAZCOM 2012 as of this date.)

If AkzoNobel can be of any further assistance please do not hesitate to contact your AkzoNobel Packaging Coatings representative.

The following link provides an overview of GHS HAZCOM 2012 in an easy to read question and answer format:

<https://www.osha.gov/dsg/hazcom/hazcom-faq.html>

OSHA has also provided other educational tools such as Information Sheets and Quick Cards on specific topics. Links to those tools are provided below.

- OSHA Brief Summary of HAZCOM 2012:
<https://www.osha.gov/dsg/hazcom/HCSFactsheet.html>
- OSHA Brief on Pictograms and Labels:
<https://www.osha.gov/Publications/OSHA3636.pdf>
- OSHA Brief on Safety Data Sheets:
<https://www.osha.gov/Publications/OSHA3514.html>
- OSHA Quick Cards:
<https://www.osha.gov/dsg/hazcom/ghsquickcards.html>
- OSHA Enforcement Policy:
https://www.osha.gov/dep/enforcement/hazcom_enforcement-memo.html

Note: Previously known as Material Safety Data Sheet (MSDS); the United Nations Globally Harmonized System (UN GHS) dropped the “Material” or “M” and moved to “Safety Data Sheet” or “SDS” nomenclature.