

Answer to questions 4, 5, 9, and 10

Tablets, capsules or pills which are designed to be dissolved or crushed by employees prior to administration to a patient are not in "final form", and are covered by the HCS. There may be situations where the tablet, capsule or pill is dissolved or crushed to facilitate patient administration when that is not typically the way it is dispensed. The "final form" exemption would apply in this situation.

6. Must the pharmacy keep MSDSs for products that DO NOT contain hazardous chemicals and that are intended to be crushed or mixed prior to use?

MSDSs are not required for non hazardous drugs. MSDSs are required to be prepared and transmitted with the initial shipment of all hazardous chemicals including drugs and pharmaceutical products except for drugs as defined by the Federal Food, Drug and Cosmetic Act which are in solid, final form for direct administration to the patient (i.e., tablets, pills, or capsules) or which are packaged for sale to consumers in a retail establishment.

7. Must the pharmacy keep MSDSs for liquid pharmaceuticals (e.g., injectable products and oral liquid products) that DO NOT contain hazardous chemicals?

Liquid drugs which are hazardous chemicals would be covered if there is a potential for employee exposure to them. Non hazardous liquid drugs are not covered by the HCS.

8. Must the pharmacy keep MSDSs for ointments, creams, and other topical preparations that do not contain hazardous chemicals?

If the active ingredients in this dosage form are indeed non-hazardous, then these chemical containing products are not covered by the HCS and do not require MSDSs.

11. If the manufacturer will not or cannot provide a MSDS for a covered drug, must the pharmacy document its attempt to obtain a MSDS?

Yes, the pharmacy is to contact the drug manufacturer, importer, or distributor to request a MSDS. This action should be documented in the form of a letter. Section (g)(1) of the standard states that "the employer shall have a MSDS for each hazardous chemical they use." However, employers are not to be held responsible for inaccurate information on the MSDS which they did not prepare and they have accepted in good faith from the chemical manufacturer, importer or distributor.

Please bear in mind that the package inserts and the Physician's Desk

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References cannot be accepted in lieu of MSDSs, as these documents do not meet the specification requirements of MSDSs under the present rule.

We hope this information is helpful. If you have any further questions please contact us at (202) 219-8036.

Sincerely,

Ruth McCully, Director
Office of Health Compliance Assistance

Att: Patty
From: Jim It
GPSI

July 20, 1993

General Industry Compliance Assistance
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Gentlemen

Owen Healthcare, Inc. manages about 250 hospital pharmacies in 41 states. There is some confusion among our pharmacies regarding the application of the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS), 29 CFR 1910.1200, to pharmaceuticals. For example, some of our pharmacies have been told that the HCS applies to all pharmaceuticals -- others have been told that the HCS applies only to pharmaceuticals that the manufacturer has determined as hazardous. Also, some have been told that there are exemptions -- others have been told that there are no exemptions.

Your written response to the following specific questions will help to clarify the standard:

1. Does the HCS apply to all pharmaceuticals -- or only to pharmaceuticals that the manufacturer has determined as hazardous?
2. Are pharmaceuticals in a retail establishment which are packaged for sale to consumers exempt from the HCS?
3. Must the pharmacy keep MSDSs for hazardous chemical containing products in a final solid dosage form (e.g., tablets and capsules) intended for direct administration to the patient -- or -- are these products exempt from the MSDS requirement?

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