

# Acme United Corporation

January 14, 2011

## ***MSDS Exemption Letter and Policy Statement***

Most end products sold by Acme United are exempt from the MSDS standard. We are not required to have MSDS's for all manner of cutting products such as scissors, shears, paper trimmers, and knives. Also exempt are rulers, math accessories, pencil sharpeners, hand tools, and protective safety devices.


Individual (refill) first aid products that contain one or more chemicals have MSDS's. We do provide them for the benefit of people who use them in the home or workplace for something other than first aid treatment. This includes latex gloves. First aid kits, however, are exempt because it is implicit that the contents are for first aid use only.

**MSDS rules pertain only to chemicals and chemicals used in the workplace. Federal regulation 29 CFR 1910.1200(b)(6), as set forth by the United States Occupational Safety and Health Administration (OSHA), states that an MSDS is not required for an "article". The exempt items above meet this definition.**

An article is described as "a manufactured item, which:

- (1) is formed to a specific shape or design during manufacture;
- (2) has end use function(s) dependent in whole or in part upon its shape or design during end use; and
- (3) does not release or otherwise result in exposure to a hazardous chemical under normal conditions of use."

Over-the-counter tablets and pills are also exempt according to a different section of the Hazard Communication Standard, 29 CFR 1910.1200(b)(6)(vii), because the product is sold in solid, final form and it is packaged by the pharmaceutical manufacturer.

  
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# MSDS Exemption Information for Over-the-Counter Tablets and Pills

Excerpt taken from a letter written by:

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[www.osha.gov](http://www.osha.gov)

Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard (HCS). 29 CFR 1910.1200 requirements for Material Safety Data Sheets (MSDS) for drugs.

*Drugs regulated by the U.S. Food and Drug Administration (FDA) are covered by the HCS. However, section (b)(6)(viii) of the HCS exempts FDA drugs when in solid final form, such as tablets or pills, for direct administration to the patient.*

## **Hazard Communication Standard**

**1910.1200(b)**

"Scope and application."

**1910.1200(b)(1)**

This section requires chemical manufacturers or importers to assess the hazards of chemicals which they produce or import, and all employers to provide information to their employees about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels and other forms of warning, material safety data sheets, and information and training. In addition, this section requires distributors to transmit the required information to employers. (Employers who do not produce or import chemicals need only focus on those parts of this rule that deal with establishing a workplace program and communicating information to their workers. Appendix E of this section is a general guide for such employers to help them determine their compliance obligations under the rule.)

**1910.1200(b)(6)**

**This section does not apply to:**

**1910.1200(b)(6)(vii)**

Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid, final form for direct administration to the patient (e.g., tablets or pills); drugs which are packaged by the chemical manufacturer for sale to consumers in a retail establishment (e.g., over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g., first aid supplies).