



2715 Columbia Street
Torrance California 90503

May 18, 2015

Subject: Safety Data (SDS) and Material Safety Data Sheets (MSDS's)
Meme's and Messer's,

This letter is in response to your request for a Safety Data Sheet (SDS) or Material Safety Data Sheet (MSDS). The following is information concerning the Occupational Safety and Health Administration (OSHA) Hazard Communications Standard.

MSDS's are required under the OSHA Hazard Communication Requirements (29 CFR 1910.1200) for workplace safety if they present a hazard. Products manufactured and distributed by Pentel of America, LTD. Are considered "articles" and are not considered hazardous materials as defined under either the OSHA Hazard Communication Standard (29CFR Section 1910.1200 or the Toxic Chemical Release Reporting; Community Right-to-Know (40 CFR, Part 372) commonly referred to as SARA Section 313 rule.

Requirement 29CFR 1910.1200 (b)(6)(v) exempts "articles" from SDS/MSDS requirements and other communication requirements of OSHA Law.

The term "article" is defined in 29 CFR 1910.1200 (c) (i). Federal Register citation 52 FR 31852 (August 24, 1987) and SARA Section 313.

"Article" Means a manufactured item: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.

In February of 1994, OSHA amended the Hazard Communication Standard and Modified part 3 to read:

Does not release more than very small quantities of a hazardous chemical under normal conditions of use. Thus the current definition of an Article is:

"Articles" by definition of the standard, "means a manufactured item other than a fluid or particle (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more

than very small quantities, e.g., minute or trace amounts of a hazardous chemical (as determined under paragraph (d) of this section), and does not pose a physical hazard or health risk to employees.

OSHA has indicated that Pens and Pencils are considered Articles. Further most office materials are considered articles by OSHA and are not considered to require an SDS/MSDS.

Pentel considers its products as Articles and marketed as consumer goods. Consumer Goods as such, office, Art and Writing Instruments in the US must conform to CPSC guidelines in accordance with LHAMA and ASTM D 4236 and must be labeled properly to protect the consumer and do not require an SDS or MSDS for this purpose as these are documents used under guidance of OSHA for workplace safety and raw chemical transportation.

Pentel products are consumer products which are offered and approved only for uses consistent with consumer use purposes:

29 CFR 1910.1200 - (6) This section does not apply to:

(ix) Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) respectively, where the employer can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended;

Pentel products are tested to be safe for consumer use and provide must provide the consumer with any labeling that would be contrary with the product itself, i.e. on label or packaging material received by the consumer. When used as intended they release only trace amounts of chemicals required to fulfil the purpose of the product itself.

To confirm that products are safe these products are tested in accordance with LHAMA and ASTM D 4236 by Duke University and independent labs certified by requirements of CPSC in the ACMI and WIMA Product Programs and determined to be labeled properly and are determined to be Non-Toxic to humans in the system provided to the consumer.

Respectfully,



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