

Employer Chemical Hazard Communication

WAC 296-800-170

Summary

IMPORTANT:

Thousands of chemicals can be found in today's workplaces. These chemicals may have the capacity to cause health problems, from minor skin irritations to serious injuries or diseases like cancer. You should review the type of chemicals you use and consider using less hazardous chemicals (such as less toxic and nonflammable chemicals).

The Employer Chemical Hazard Communication rule was developed to make sure employers and employees are informed about chemical hazards in the workplace.

This rule applies to:

- Employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.
- Contractors or subcontractors that work for employers engaged in businesses where chemicals are used, distributed, or produced for use or distribution.



Exemptions: Certain products, chemicals, or items are exempt from this rule. Below is a summarized list of these exemptions. See WAC 296-800-17055 at the end of this rule to get complete information about these exemptions:

- Any hazardous waste as defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that act by the Environmental Protection Agency.
- Any hazardous substance as defined by the Comprehensive Environmental Response, Compensation and Liability ACT (CERCLA) (42 U.S.C. 9601 et seq.) when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with the Environmental Protection Agency regulations.
- Tobacco or tobacco products
- Wood or wood products that are not chemically treated and won't be processed, for example, by sawing and sanding
- Food or alcoholic beverages
- Some drugs, such as retail or prescription medications
- Retail cosmetics
- Ionizing and nonionizing radiation
- Biological hazards
- Any consumer product or hazardous substance when workplace exposure is the same as that of a consumer

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Summary

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Exemptions:

- Retail products used in offices in the same manner and frequency used by consumers, can be termed "consumer products", and include things such as: correction fluid, glass cleaner, and dishwashing liquid.

Example: If you use a household cleaner in your workplace in the same manner and frequency that a consumer would use it when cleaning their house, your exposure should be the same as the consumer's, and you are exempt. A janitor using a household cleaner, such as bleach, throughout the day, is **not** considered to be a consumer, and isn't exempt.

- Manufactured items that remain intact are exempt from this rule.
- Manufactured items that are fluids or in the form of particles aren't exempt from this rule.

The following are examples:

Item	Covered by this rule	Not covered by this rule
Brick	sawed or cut in half	used whole or intact
Pipe	cut by a torch	bent with a tube bender
Nylon rope	burning the ends	tying a knot



Reference:

- If you produce, import, distribute and/or repackage chemicals, or choose not to rely on labels or material safety data sheets provided by the manufacturer or importer, you must comply with chemical hazard communication for manufacturers, importers and distributors, WAC 296-62-054.
- You may withhold trade secret information under certain circumstances. See Trade Secrets, WAC 296-62-053, to find out what information may be withheld as a trade secret and what information must be released.

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Summary

YOUR RESPONSIBILITY:

To inform and train your employees about the hazards of chemicals they may be exposed to during normal working conditions, or in foreseeable emergencies by:

- Making a list of the hazardous chemicals present in your workplace.
- Preparing a written Chemical Hazard Communication Program for your workplace.
- Informing your employees about this rule and your program.
- Providing training to your employees about working in the presence of hazardous chemicals.
- Getting and keeping the Material Safety Data Sheets (MSDSs) for the hazardous chemicals.
- Making sure that labels on containers of hazardous chemicals are in place and easy to read.

You must

Develop, implement, maintain, and make available a written Chemical Hazard Communication Program WAC 296-800-17005	Page 170-5
Include multiemployer workplaces in your program if necessary WAC 296-800-17007	Page 170-6
Identify and list all the hazardous chemicals present in your workplace WAC 296-800-17010	Page 170-8
Obtain and maintain Material Safety Data Sheets (MSDS) for each hazardous chemical used WAC 296-800-17015	Page 170-9
Make sure that Material Safety Data Sheets (MSDS) are readily accessible to your employees and NIOSH WAC 296-800-17020	Page 170-12

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Summary

WAC 296-800-170 (Continued)

Label containers holding hazardous chemicals
WAC 296-800-17025 Page 170-13

Inform and train your employees about hazardous chemicals in
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WAC 296-800-17030 Page 170-17

Follow these rules for laboratories using hazardous chemicals
WAC 296-800-17035 Page 170-20

Follow these rules for handling chemicals in factory-sealed
containers
WAC 296-800-17040 Page 170-21

The Department must:

Translate certain chemical hazard communication documents
upon request
WAC 296-800-17045 Page 170-22

Attempt to obtain a Material Safety Data Sheet (MSDS) upon
request
WAC 296-800-17050 Page 170-22

Exemption:

Items or chemicals exempt from the rule, and exemptions
from labeling
WAC 296-800-17055 Page 170-23

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WAC 296-800-170

Rule

WAC 296-800-17005

Develop, implement, maintain, and make available a written Chemical Hazard Communication Program

You must

- Develop, implement, maintain, and make available a written Chemical Hazard Communication Program specific to your workplace. The Chemical Hazard Communication Program must, at a minimum, include:
 - A list of hazardous chemicals known to be present in your workplace.
 - Procedures for making sure all containers are properly labeled.
 - A description of how you are going to obtain and maintain your Material Safety Data Sheets (MSDSs).
 - A description of how you are going to train and inform your employees about hazardous chemicals in their workplace.
 - A description of how you are going to inform your employees about:
 - Chemical hazards used during nonroutine tasks.
 - The hazards associated with chemicals contained in unlabeled pipes in employee work areas.



Helpful Tool:

Sample Hazardous Chemical Communication Program

This optional tool can help you develop a Chemical Hazard Communication Program. You can find a sample copy of this program in the Resource Section of this book.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17005 (Continued)

You must

- Make your Chemical Hazard Communication Program available to your employees



Note:

- You must make the written Chemical Hazard Communication Program available, upon request, to employees, their designated representatives, the Department and NIOSH, in accordance with the requirements of Access to Records, WAC 296-62-052.
- Where employees must travel between workplaces during a workshift, that is, if their work is carried out at more than one geographical location, the written Chemical Hazard Communication Program may be kept at the primary workplace facility.

WAC 296-800-17007

Include multiemployer workplaces in your program if necessary

IMPORTANT:

- Sharing chemical hazard information at multiemployer workplaces is required for the success of your hazard communication program and the success of other employers' programs.
- This section applies to a site where you or your employees work if:
 - Your employees may be exposed to hazardous chemicals used by another employer;

OR

- Another employer's employees may be exposed to hazardous chemicals you or your employees use.

Examples include employees of construction companies, cleaning services, or maintenance contractors visiting or working on-site.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17007 (Continued)

You must

- Include, in your written Chemical Hazard Communication Program, the methods you will use to share the following hazard information with other employers when their employees share a workplace with you and are potentially exposed to chemicals you produce, use, or store:
 - How you will provide other employers with a copy of the relevant material safety data sheets (MSDSs), or provide access to the MSDSs in a specified location.
 - How you will inform the other employees of any precautionary measures needed to protect employees during normal operating conditions and in foreseeable emergencies.
 - A description of how you will inform other employers of the labeling system you use.



Note:

You may rely on another employer's Chemical Hazard Communication Program to share the information required if the program meets the requirements of this rule.



Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17010

Identify and list all the hazardous chemicals present in your workplace

You must

- Identify all hazardous chemicals at your workplace.
 - This includes any chemical that is known to be present in your workplace in such a way that employees may be exposed to it under normal conditions of use or in a foreseeable emergency.
- Create a list of these chemicals using the chemical or common name on the Material Safety Data Sheet (MSDS). This list:
 - Must be compiled for the workplace as a whole, or for individual work areas.
 - Is necessary to make sure that all hazardous chemicals are identified and that MSDS, and labeling rules are met.
 - Must be current.



Note:

- The following are some ways to determine whether a product is hazardous:
 - Look for words on the label, such as "CAUTION," "WARNING," or "DANGER."
 - Look for words or "hazard coding" that indicate that the chemical is flammable, an irritant, corrosive, carcinogenic, etc. "Hazard coding" refers to words, numbers, or colors that tell you a chemical is dangerous.
 - Check the product's MSDS for hazard information.
- Examples of hazardous chemicals are: Acids, adhesives, caustics, fuels, paints, varnishes, shellacs and pesticides. Too many other classes of hazardous chemicals exist to list them all here. If you have any questions about a chemical you have at your workplace, contact your local L&I office (see the Resource Section of this book).

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17015

Obtain and maintain Material Safety Data Sheets (MSDSs) for each hazardous chemical used



Note:

MSDSs are a type of employee exposure record. Therefore, you must comply with the Material Safety Data Sheets (MSDSs) as Exposure Records, WAC 296-800-180, located in this book.

You must

- Obtain a MSDS for each hazardous chemical used as soon as possible, if the MSDS isn't provided with the shipment of a hazardous chemical, from the chemical manufacturer or importer.



Note:

- To obtain a MSDS, you may try calling the manufacturer or checking their website.
- If you have a commercial account with a retailer or wholesaler, you have the right to request and receive a MSDS about hazardous chemicals you purchase.
- If a chemical is purchased from a retailer with no commercial accounts, you have the right to request and receive the manufacturer's name and address so that you can contact them and request a MSDS for the chemical.
- Whoever prepares the MSDS is required to mark all blocks on the form, even if there is no relevant information for that section.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17015 (Continued)



Note:

- If you have problems getting a MSDS within 30 calendar days after making a written request to the chemical manufacturer, importer, or distributor, you can get help from WISHA. You may contact your local regional office for assistance or make a written request for assistance to the:

DEPARTMENT OF LABOR AND INDUSTRIES
RIGHT-TO-KNOW PROGRAM
P.O. BOX 44610
OLYMPIA, WASHINGTON 98504-4610

Include in your request:

- A copy of the purchaser's written request to the chemical manufacturer, importer, or distributor.
- The name of the product suspected of containing a hazardous chemical.
- The identification number of the product, if available.
- A copy of the product label, if available.
- The name and address of the chemical manufacturer, importer, or distributor from whom the product was obtained.



Helpful Tool:

Sample Letter for Requesting MSDS

You can use the sample letter to request MSDSs. You can find a copy of this letter in the Resource Section of this book.



Link:

A list of the addresses and phone numbers of the regional offices of the Department of Labor and Industries can be found by visiting the L&I website at <http://www.lni.wa.gov/wisha> or by calling 1-800-4BESAFE (1-800-423-7233).

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17015 (Continued)

You must

- Maintain a MSDS for each hazardous chemical:
 - Keep copies of the required MSDSs for each hazardous chemical present in your workplace.
 - Each MSDS must be in English. You may also keep copies in other languages.



Reference:

- See material safety data sheets and label preparation, chapter 296-839 WAC, if you choose to create your own MSDS or label.



Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17020

Make sure Material Safety Data Sheets (MSDSs) are readily accessible to your employees and NIOSH

You must

- Make sure that MSDSs are readily accessible, easily obtained without delay during each work shift by employees when they are in their work area(s).
- Make sure that employees, who must travel between workplaces during a work shift, such as when their work is carried out at more than one geographical location, can immediately obtain the required MSDS information in an emergency. (MSDSs may be kept at a central location at the primary workplace facility and accessed by means such as voice communication or laptop computer.)



Note:

- Electronic access (such as computer or fax), microfiche, and other alternatives to maintaining paper copies of the MSDSs are permitted as long as they don't create barriers to immediate employee access in each workplace.
- Barriers to immediate access of electronic MSDSs may include:
 - Power outages
 - Equipment failure
 - System delays
 - Deficient user knowledge to operate equipment
 - Location of equipment outside the work area

Solutions to eliminating these and other possible barriers to access may require the availability of back-up systems, employee training, and providing access equipment in the work areas.

You must

- Make MSDSs readily available, when requested, to representatives of the National Institute for Occupational Safety and Health (NIOSH).

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17025

Label containers holding hazardous chemicals



Exemptions:

The following is a summary of items that are exempt from this rule:

- Pesticides, when labeled as required by the Environmental Protection Agency (EPA).
- Food, food additives, color additives, drugs, cosmetics, or medical/veterinary devices or products.
- Alcoholic beverages not intended for industrial use.
- Consumer products labeled as required by the Consumer Product Safety Commission.
- Agriculture or vegetable seeds treated and labeled as required by the Federal Seed Act.

For complete information about each of these, see WAC 296-800-17055.



Note:

You aren't required to label portable containers into which hazardous chemicals are transferred from labeled containers, if the chemical is used and controlled by the same employee who performed the transfer within the same shift.



Helpful Tool:

Sample Labels for Hazardous Chemical Containers

You can find sample hazard chemical labels in the Resource Section of this book.

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WAC 296-800-170

Rule

WAC 296-800-17025 (Continued)

You must

- Make sure that each container of hazardous chemicals in the workplace is labeled, tagged, or marked with the following information:
 - The identity of the hazardous chemical(s) using either the chemical or common name.
 - Appropriate hazard warnings which give general information about the relevant health and physical hazards of the chemicals. This includes health effects information, such as information about organs most likely to be affected by the chemicals.
 - For individual stationary process containers, you may use alternate labeling methods such as:
 - Signs
 - Placards
 - Process sheets
 - Batch tickets
 - Operating procedures
 - Other such written materials, as long as the alternate method identifies the containers and conveys the required label information.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17025 (Continued)



Note:

- You don't need to put on new labels if existing labels already provide the required information.
- You aren't required to list each component in a hazardous mixture on the label. If a mixture is referred to on an MSDS by a product name, then the product name should be used as the identifier.
- You may use words, pictures, symbols, or any combination of these, to communicate the hazards of the chemical.

Sample Container Labels



- Be sure to train your employees so they can demonstrate a knowledge of the labeling system you use.
- Some alternative labeling systems don't communicate target organ information, so the employee will have to rely on training provided by the employer to obtain this information.

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Employer Chemical Hazard Communication

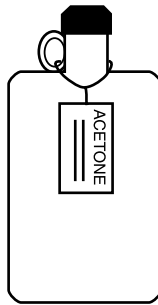
WAC 296-800-170

Rule

WAC 296-800-17025 (Continued)

You must

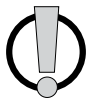
- Not remove or deface existing labels on incoming containers of hazardous chemicals unless the container is immediately labeled with the required information.



This is an example of a labeled container. You may use a laminated or coated label, affixed to the container with a wire, to avoid deterioration of labels due to a solvent, such as acetone.

You must

- Make sure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift.



Note:

Employers with non-English speaking employees may use other languages in the warning information in addition to the English language.

- Make sure if the hazardous chemical is regulated by WISHA or OSHA in a substance-specific health rule, that the labels or other warnings are used according to those rules.

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17030

Inform and train your employees about hazardous chemicals in your workplace

You must

- Provide employees with effective information on hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced into their employees' work areas, information must be provided.
 - Inform employees of:
 - The requirements of this rule.
 - Any operations in their work area where hazardous chemicals are present.
 - The location and availability of your written Chemical Hazard Communication Program, including the list(s) of hazardous chemicals and Material Safety Data Sheets (MSDSs) required by this rule.
- Provide employees with effective training about hazardous chemicals in their work area at the time of their initial job assignment. Whenever a new physical or health hazard related to chemical exposure is introduced, the employees must be trained.
- Make sure employee training includes:
 - Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area.

Examples of these methods and observations may include:

 - Monitoring conducted by you.
 - Continuous monitoring devices.
 - Visual appearance or odor of hazardous chemicals when being released.
 - Physical and health hazards of the chemicals in the work area, including the likely physical symptoms or effects of overexposure.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17030 (Continued)

- Steps employees can take to protect themselves from the chemical hazards in your workplace, including specific procedures implemented by you to protect employees from exposure to hazardous chemicals. Specific procedures may include:
 - Appropriate work practices
 - Engineering controls
 - Emergency procedures
 - Personal protective equipment to be used
- Details of the chemical hazard communication program developed by you, including an explanation of the labeling system and the MSDS, and how employees can obtain and use the appropriate hazard information.
- Tailor information and training to the types of hazards to which employees will be exposed. The information and training may be designed to cover categories of hazards, such as flammability or cancer-causing potential, or it may address specific chemicals. Chemical-specific information must always be available through labels and MSDSs.
- Make reasonable efforts to post notices in your employees' native languages (as provided by the department) if those employees have trouble communicating in English.



Note:

- Interactive computer-based training or training videos can be used provided they are effective.
- Your MSDSs may not have WISHA permissible exposure limits (PELs) listed. In some cases, WISHA PELs are stricter than the OSHA PELs and other exposure limits listed on the MSDSs you receive. If this is the case, you must refer to the WISHA PEL table, WAC 296-62-075, for the appropriate exposure limits to be covered during training.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17030 (Continued)



Helpful Tool:

Training Documentation Form

The Training Documentation Form can help you document employees' hazardous chemical communication training. You can find a sample copy of this form in the Resource Section of this book.





Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17035

Follow these rules for laboratories using hazardous chemicals



Note:

- Laboratories are required to have a written Chemical Hygiene Plan under WAC 296-62-400, if applicable. They are **not** required to have a written Chemical Hazard Communication Program.
- You may combine your Accident Prevention Program and Chemical Hazard Communication Program to assist you in developing a chemical hygiene plan for your laboratory.

You must

- (1) Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- (2) Maintain Material Safety Data Sheets (MSDSs) received with incoming shipments of hazardous chemicals and make them readily accessible to laboratory employees when they are in their work areas.
- (3) Provide laboratory employees with information and training as described in: "Inform and train your employees about hazardous chemicals in your workplace," WAC 296-800-17030. You don't have to cover the location and the availability of the Hazard Communication Program.



Note:

Laboratory employers that ship hazardous chemicals are considered to be either chemical manufacturers or distributors. When laboratory employers ship hazardous chemicals they must comply with the rule, "hazard communication standards for chemical manufacturers, importers and distributors," WAC 296-62-054.

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17040

Follow these rules for handling chemicals in factory-sealed containers

This applies to situations where employees only handle chemicals in factory-sealed containers that aren't opened under normal use (such as those found in marine cargo handling, trucking, warehousing, or retail sales).

You must

- (1) Make sure that labels on incoming containers of hazardous chemicals are in place and readable.
- (2) Keep or obtain Material Safety Data Sheets (MSDSs).
 - Keep any MSDSs that are received with incoming shipments of the sealed containers of hazardous chemicals.
 - If a factory-sealed container of hazardous chemicals comes without a MSDS, obtain one as soon as possible, if an employee requests it.
- (3) Make sure that the MSDSs are readily accessible during each work shift to employees when they are in their work area(s).
- (4) Inform and train your employees about hazardous chemicals in your workplace, to protect them in case of a hazardous chemical spill or leak from a factory-sealed container. You don't have to cover the location and availability of the written Chemical Hazard Communication Program.



Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17045

Translate certain chemical hazard communication documents upon request

The Department must

- Upon receipt of a written or verbal request, prepare and make available (within available resources) to employers or the public, a translation into Cambodian, Chinese, Korean, Spanish, or Vietnamese of any of the following:
 - An employer's written Chemical Hazard Communication Program.
 - A Material Safety Data Sheet;**or**
 - Written materials prepared by the Department to inform employees of their rights described in this rule, regarding chemical hazard communication.



Note:

Written requests for translations should be directed to:

DEPARTMENT OF LABOR AND INDUSTRIES
RIGHT-TO-KNOW PROGRAM
P.O. BOX 44610
OLYMPIA, WASHINGTON 98504-4610

WAC 296-800-17050

Attempt to obtain a Material Safety Data Sheet (MSDS) upon request

The Department must

- Upon receipt of an employer's written request for a Material Safety Data Sheet, attempt to obtain the MSDS from the chemical manufacturer, importer, or distributor. When the department receives the MSDS, the department must forward a copy of it to the purchaser at no cost. Small business employers will be given priority for this service.

Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055

Items or chemicals exempt from the rule, and exemptions from labeling

- Listed below are the full descriptions of the items or chemicals that are exempt, or not covered, by this rule:
 - Any consumer product or hazardous substance, defined in the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) and Federal Hazardous Substance Act (15 U.S.C. 1261 et seq.) respectively, where you 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 that isn't greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended.
 - Any hazardous waste defined by the Hazardous Waste Management Act chapter 70.105 RCW, when subject to regulations issued under that act by the Department of Ecology that describes specific safety, labeling, personnel training, and other rules for the accumulation, handling and management of hazardous waste.
 - Any hazardous waste defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that act by the Environmental Protection Agency.
 - Any hazardous substance defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.), when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations.
 - Tobacco or tobacco products.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055 (Continued)

- Wood or wood products, including lumber that won't be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to the employees is the potential for flammability or combustibility. Wood or wood products that have been treated with hazardous chemicals covered by this rule, and wood that may be subsequently sawed or cut, generating dust, aren't exempted.
- Articles, meaning manufactured items other than a fluid or particle that:
 - Are formed to a specific shape or design during manufacture;
 - Have end use function(s) dependent in whole or in part upon their shape or design during end use;

AND

 - Under normal conditions of use, don't release more than very small quantities, for example, minute or trace amounts of a hazardous chemical such as, emissions from a marking pen or a newly varnished wood chair, and don't pose a physical hazard or health risk to employees.
- Food or alcoholic beverages that are sold, used, or prepared in a retail establishment such as a grocery store, restaurant, or drinking place, and foods intended for personal consumption by employees while in the workplace.
- Any drug, 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 (for example, tablets or pills); drugs that are packaged by the chemical manufacturer for sale to consumers in a retail establishment (for example, over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (for example, first-aid supplies). Aerosolized or cytotoxic drugs administered by a health care worker aren't excluded.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule



WAC 296-800-17055 (Continued)

- Cosmetics packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace.
- Ionizing and nonionizing radiation.
- Biological hazards.
- This rule doesn't require labeling of the following chemicals:
 - Any pesticide defined in the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.), when subject to the labeling requirements of that act and labeling regulations issued under that act by the Environmental Protection Agency.
 - Any chemical substance or mixture defined in the Toxic Substance Control Act (15 U.S.C. 2601 et seq.), when subject to the labeling requirements of that act, and labeling requirements issued under that act by the Environmental Protection Agency.
 - Any food, food additive, color additive, drug, cosmetic, or medical/veterinary device or product, including materials intended for use as ingredients in such products (for example, flavors and fragrances), are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) or the Virus-Serum Toxin Act of 1913 (21 U.S.C. 151 et seq.) and regulations issued under those acts, when they are subject to the labeling requirements under those acts by either the Food and Drug Administration or the Department of Agriculture.
 - Any distilled spirits (beverage alcohols), wine, or malt beverage intended for nonindustrial use, defined in the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.) and regulations issued under that act, when subject to the labeling requirements of that act and labeling regulations issued under that act by the Bureau of Alcohol, Tobacco, and Firearms.

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Employer Chemical Hazard Communication

WAC 296-800-170

Rule

WAC 296-800-17055 (Continued)

- Any consumer product or hazardous substance 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, when subject to a consumer product safety rule or labeling requirement of those acts, or regulations issued under those acts by the Consumer Product Safety Commission.
- Agricultural or vegetable seed treated with pesticides and labeled in accordance with the Federal Seed Act (7 U.S.C. 1551 et seq.) and the labeling requirements issued under that act by the Department of Agriculture.