

105TH CONGRESS
2D SESSION

H. R. 4037

To require the Occupational Safety and Health Administration to recognize that electronic forms of providing Material Safety Data Sheets provide the same level of access to information as paper copies and to improve the presentation of safety and emergency information on such Data Sheets.

IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 1998

Ms. GRANGER (for herself and Mr. ROEMER) introduced the following bill;
which was referred to the Committee on Education and the Workforce

A BILL

To require the Occupational Safety and Health Administration to recognize that electronic forms of providing Material Safety Data Sheets provide the same level of access to information as paper copies and to improve the presentation of safety and emergency information on such Data Sheets.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OSHA RECOGNITION OF ELECTRONIC MSDS'S.**

4 Section 6(b) of the Occupational Safety and Health
5 Act of 1970 (29 U.S.C. 655(b)) is amended by adding at
6 the end the following:

1 “(9) Not later than 180 days after the date of
2 enactment of this paragraph, the Secretary shall
3 modify the regulations, contained in section
4 1910.1200(g) of title 29, Code of Federal Regula-
5 tions, to clarify that an employer complies with the
6 standard contained in such regulations if the em-
7 ployer makes information on each hazardous chemi-
8 cal used in the workplace readily accessible (avail-
9 able for retrieval immediately in the case of an emer-
10 gency) to employees through electronic access or
11 other alternatives to paper copies. Emergency back-
12 up requirements for such electronic access systems
13 shall not exceed the requirements placed upon tradi-
14 tional, paper storage systems.”.

15 **SEC. 2. STANDARDIZATION FORMAT FOR MSDS’S.**

16 Section 6(b) of the Occupational Safety and Health
17 Act of 1970 (29 U.S.C. 655(b)) (as amended by section
18 1), is further amended by adding at the end the following:

19 “(10)(A) Not later than 180 days after the date
20 of enactment of this paragraph, the Secretary shall
21 modify the regulations, contained in section
22 1910.1200 of title 29, Code of Federal Regulations,
23 to require that information on hazardous chemicals
24 in a Material Safety Data Sheet (referred to as
25 “MSDS”) shall be presented in a format that in-

1 includes an emergency overview which warns of those
2 health and physical hazards that require immediate
3 attention in an emergency situation. Such informa-
4 tion shall be featured prominently on the first page
5 of the MSDS and it shall describe emergency first-
6 aid, handling, and clean-up instructions and note the
7 material's appearance and physical state.

8 “(B) The emergency overview under subpara-
9 graph (A) shall require information on all hazardous
10 chemicals produced, imported, or used to be pre-
11 sented at a language and comprehension level that
12 is consistent with the technical proficiency of the
13 target audience. For sections of the MSDS that are
14 intended for all readers or audiences, the language
15 used should be understandable to the widest audi-
16 ence possible and should be written with a minimum
17 of technical wording.”.

18 **SEC. 3. STUDY.**

19 Not later than 90 days after the date of the enact-
20 ment of this section, the Secretary shall initiate a study
21 that assesses and measures the comprehensibility of haz-
22 ard warnings to the average industrial worker as they
23 would be presented under section 6(b)(10)(A) of the Occu-
24 pational Safety and Health Act of 1970. Upon completion
25 of the study, the Secretary shall prepare a report and

1 make it available to chemical manufacturers and import-
2 ers required to prepare Material Safety Data Sheets under
3 regulations published as section 1910.1200(g) of title 29,
4 Code of Federal Regulations.

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