GERICARE

PHARMACEUTICALS CORP.

MATERIAL SAFETY DATA SHEETS (MSD Sheets)

This is in reply to requests we occasionally receive for MSD Sheets for our products.

Our OTC pharmaceuticals and nutritional supplements do not contain any hazardous ingredients, and therefore are not required to have MSD sheets. Any applicable warnings regarding these products (e. g., keep out of reach of children) are printed directly on the labels.

MSD Sheets are required under 29 CFR 1910.1200, which is OSHA's Hazard Communication Act. Their purpose is to alert users to the hazards of any materials that they are using. Under the law, products containing any of the compounds listed in Sub-part Z of this law at a concentration >1% (and >0.1% for carcinogens) must have an MSDS. Manufacturers of these products must provide them to their customers, and companies must distribute them to affected employees.

Section 1910.1200(b)(6), (1910.1200(b)(6)(v), and 1910.1200(b)(6)(vi)) of the HCS exempts from MSDS requirements "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)."

A statement issued by OSHA on January 3, 1994 that further clarifies the issue regarding liquid OTC pharmaceuticals and nutritional supplements states “Non-hazardous liquid drugs are not covered by the Hazard Communication Standard (29 CFR 1910.1200),” i.e., they are also exempt from MSD Sheets.

We believe that this clarifies the issue of MSD Sheets for Geri-Care products. Please call us if you have any additional questions.

Steve Lerman

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