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April 17, 2007

VIA FACSIMILE: 1+620-221-7460  
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Ms. Lori  
Clock Medical Supply  
Box 620  
Winfield, KS 67156

Dear Lori:

Re: *Material Safety Data Sheets ("MSDS")*  
*Lectric Shave®*

In response to your request for MSDS, please be advised that Combe's products are exempt from the Occupational Safety and Health Administration Hazard Communication Standard. Our products are classified as either "drugs" or "consumer products" and are not covered under the Expanded Hazard Communication Standard. The final rule was published in the August 24, 1987 *Federal Register* and took effect May 23, 1988.

Enclosed, for your information, is a copy of a memorandum issued by the Healthcare Distribution Management Association formerly known as National Wholesale Druggists' Association summarizing the OSHA Hazard Communication Standard.

Very truly yours,

  
Anne Rubenfeld  
Legal Department

Enclosure



David S. Miltguy, Chairman  
Charles S. Trefrey, President

## National Wholesale Druggists' Association

Mailing Address P O Box 238, Alexandria, VA 22313  
105 Oronoco Street, Alexandria, VA 22314 • 703/684-6400

### MEMORANDUM

TO: Active Member CEOs and Key Contacts  
FROM: Ronald Streck, Vice President Government Affairs  
DATE: February 29, 1988  
RE: OSHA's Hazard Communication Standard

As you know, the Occupational Safety and Health Administration (OSHA) published a final rule in the August 24, 1987 Federal Register expanding the scope of the Hazard Communication Standard (HCS) to cover employees in non-manufacturing industries including drug wholesaling.

The Office of Management and Budget (OMB) under the Paper Reduction Act reviewed the final regulation and disapproved some parts of the final regulation. OSHA announced that it would not enforce the parts disapproved by OMB without new rulemaking.

As a result, the Expanded Hazard Communication Standard which takes effect May 23, 1988 does not cover:

1. TOBACCO or tobacco products.
2. DRUGS regulated by the Food and Drug Administration (includes all prescription and over-the-counter drugs.)
3. CONSUMER PRODUCTS (i.e. substances used for personal, family or household purposes and packaged for distribution and use by the general public.) Also, any substance packaged in the same form and concentration as a consumer product whether or not it is used for the same purpose as the consumer product.
4. Articles including most OFFICE PRODUCTS such as pencils, pens, typewriter ribbons and the like. Employers having copying machine operators who are responsible for handling the chemicals associated with its use or who operate the machine frequently would be covered by the HCS final regulation.

### COVERED PRODUCTS

A review of products excluded from the final Hazard Communication Standard indicates very few products in drug wholesale warehouses are covered. Concentrated acids, bases, and ethylene oxide are a few of the products that will be covered by the final regulation.

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OSHA's HCS

Examine your warehouses for (a) covered products that would require you to pass on MSDSs and (b) covered products that you use in the distribution center. Tell us what products you have in your distribution center that you think are covered under (a) and (b). Send your comments to Jennifer Horton at NWDA headquarters or call her at (703) 684-6400.

HAZARD COMMUNICATION STANDARD REQUIREMENTS  
ONLY FOR PRODUCTS COVERED BY THE HAZARD COMMUNICATION STANDARD

WHOLESALEERS AS DISTRIBUTORS, will be required to:

- Pass on to customers MSDSs received.
- Pass on to customers updated MSDSs received.

WHOLESALEERS AS EMPLOYERS, will be required to:

- Not remove or deface labels.
- Maintain MSDSs received; obtain additional MSDSs if employee requests.
- Assure accessibility of MSDSs on each shift.
- Tell and train employees about the hazards of covered products found in the workplace and what steps to take should a spill or leak of a covered product occur.

Right-To-Know Task Force

NWDA's Right-To-Know Task Force has been working to identify covered products in drug wholesale warehouses and to develop a written training and information program for drug wholesalers. The program will be ready for distribution to all active members in early May, prior to the May 23, 1988 implementation date.

Enclosed Documents

Enclosed you will find the final Hazard Communication Standard, OMB's letter to OSHA disapproving several parts of the HCS standard, and, the OSHA response. These are important documents you should maintain on file to help you to prepare for any responses you need to make to your customers as well as to federal, state and local agencies who may inquire.

A letter is also being sent to associate members explaining the requirements of the Hazard Communication Standard so that manufacturers will be aware that material safety data sheets are not required for drug products and consumer products.