



SCHC Fall 2019

OSHA Regulatory Update

**Maureen Ruskin
Deputy Director
Directorate of Standards
and Guidance**



Topics

- RCC Update
- RCC Guidance
- UN GHS Sub-Committee 2019-2020 Program of Work

Regulatory Cooperation Council (RCC)



RCC Update - Overview

- June 2018 US/Canada signed an MOU
 - <https://www.whitehouse.gov/wp-content/uploads/2018/06/US-CanadaMOU.pdf>
- October 2019 US published a RFI December 2019
 - <https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&D=OMB-2018-0006>
- December 2019 US/Canada Stakeholder meeting

RCC Update

- OSHA/Health Canada
 - OSHA and Health Canada renewed their MOU
 - Continue to meet regularly
 - Review issues/variances
 - Discuss work before the UN Sub-Committee
 - Continue to coordinate positions for the UN sub committee meetings
 - Published joint guidance products

OSHA/Health Canada Joint Guidance

- Joint OSHA/Health Canada Comparison of Labelling Requirements for Hazardous Products
- Joint OSHA/Health Canada Guidance on Regulatory Processes for Hazardous Products in the Workplace.
- Joint OSHA/Health Canada Guidance on Labeling Pictogram for Hazards Not Otherwise Classified (HNOC), Physical Hazards Not Otherwise Classified (PHNOC) and Health Hazards Not Otherwise Classified (HHNOC).

Comparison of Labelling Requirements for Hazardous Products

Indicates both the variances and commonalities

Label

- Product identifier
- Signal word
- Pictogram
- Hazard Statement
- Precautionary statements
- Supplier identification

Other Requirements

- Layout
- Language
- Legibility Application requirements
- Application requirements
- Durability
- Supplemental information

Guidance on Regulatory Processes for Hazardous Products in the Workplace

- Outlines the difference between the US and Canada regulatory framework
 - Federal
 - State versus Provincial/Territorial
 - Suppliers
 - Employers
 - Workers

Guidance on Labeling Pictogram for HNOC, PHNOC and HHNOC



	OSHA	Health Canada
Coverage	An adverse physical or health effect identified through evaluation of scientific evidence during the classification process that does not meet the specified criteria for the physical and health hazard classes....	The PHNOC hazard class and the HHNOC hazard class cover physical and health hazards, respectively, that are not covered by any other physical or health hazard classes in the HPR.
Labeling in general	No Labeling elements required but allowed as supplemental with limitations	All label elements required
Pictogram	Health Canada and OSHA have agreed that the exclamation mark pictogram is an appropriate symbol for the HNOC, HHNOC, and PHNOC classifications.	
Accommodation for use of exclamation mark pictogram	The use of the exclamation mark pictogram for HNOCs is permitted if the label also indicates that the pictogram is being used for a hazard not otherwise classified	Allows “HNOC” or the statement “Hazards Not Otherwise Classified” to appear below the exclamation mark pictogram on a label.

HNOC vs HHNOC/PHNOC - Example



HNOC

Danger

Extremely flammable liquid and vapor

Appropriate hazard statement for the PHNOC³

Appropriate precautionary statements for
Flammable Liquids—Category 1 and PHNOC³

RCC Joint Guidance products

Web Links

- OSHA

- https://www.osha.gov/dsg/hazcom/RCC_Deliverable_Label_Comparison.pdf
- [https://www.osha.gov/dsg/hazcom/HCS-
HC_Regulatory_Process_Comparison.pdf](https://www.osha.gov/dsg/hazcom/HCS-
HC_Regulatory_Process_Comparison.pdf)
- [https://www.osha.gov/dsg/hazcom/Pictogram_HNOC_PHNOC_and_HHNOC_H
C.pdf](https://www.osha.gov/dsg/hazcom/Pictogram_HNOC_PHNOC_and_HHNOC_H
C.pdf)

- Health Canada

- [https://www.canada.ca/en/health-canada/services/environmental-workplace-
health/reports-publications/occupational-health-safety/joint-guidance.html](https://www.canada.ca/en/health-canada/services/environmental-workplace-
health/reports-publications/occupational-health-safety/joint-guidance.html)

UN Sub-Committee



2019-2020 Biennium Program of work

- Review of Chapter 2.1 (Explosives) of the GHS
- Use of non-animal testing methods for classification of health hazards
- Practical classification issues
- Aspiration hazard
- Nanomaterials
- Simultaneous classification in physical hazard classes and precedence of hazards
- Practical labeling issues
- Chemical Lists
- Improvement of Annexes 1 to 3 and further rationalization of precautionary statements
- Review of Annex 4, sub-section A4.3.3.2.3

UN Sub-Committee

- Program of Work
 - December 2018 Report pages 20-22
 - <https://www.unece.org/fileadmin/DAM/trans/doc/2018/dgac10c4/ST-SG-AC10-C4-72e.pdf>
- Link to UN website
 - https://www.unece.org/trans/danger/publi/ghs/ghs_welcome_e.html
- Next meeting: December 11-13

Purpose of Future HCS Rulemaking

- Maintain alignment with GHS
- Address issues identified during implementation of HCS 2012
- Identify issues of concern for those complying with WHMIS 2015