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CC: Ellen Widess, Chief, Cal/OSHA (ewidess@dir.ca.gov)
Christine Baker, Director, Department of Industrial Relations (cbaker@dir.ca.gov)

Re: Hazard Communication -Globally Harmonized System (GHS) update to Section 5194

We are writing to comment on the potential change to the state's Hazard Communication Standard and other Title 8 standards, as a result of the GHS. Sciencecorps has worked on right to know issues for many decades. We are a network of health and science professionals who serve people in California and other areas and have worked extensively on issues of public access to information, exposure to toxic chemicals, health hazards, professional training, and other aspects of public and worker health.

The international GHS agreement can substantially improve understanding of hazards. As a major stakeholder in the UN chemicals management process, we have seen progress on this issue in many areas and believe it will improve levels of protection in California. Classifying and labeling all chemicals along with an integration of critical data for a range of activities (workplace, consumer, transit, environment) is essential for such progress to occur.

The *Occupational Safety and Health Act* allows state plans to be "at least as effective as" federal law and regulations. California must continue to lead on this rather than reduce public information and protections. We support international agreement guiding principles, including:

- (a) *the level of protection offered to workers, consumers, the general public and the environment should not be reduced as a result of harmonizing the classification and labeling systems;*
 - (b) *the hazard classification process refers principally to the hazards arising from the intrinsic properties of substances and mixtures, whether natural or synthetic;*
 - (c) *harmonization means establishing a common and coherent basis for chemical hazard classification and communication, from which the appropriate elements relevant to means of transport, consumer, worker and environment protection can be selected;*
 - (d) *the scope of harmonization includes both hazard classification criteria and hazard communication tools, e.g., labeling and safety data sheets, taking into account especially the four existing systems identified in the ILO report (in Canada, the European Union, the USA and the UN's transportation of dangerous goods recommendations);...*
 - (g) *the comprehension of chemical hazard information, by the target audience, e.g. workers, consumers and the general public should be addressed; ..*
- ("Purple book", 4th ed GHS (2011, page 4).

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Sound public health practices require a strong HazComm regulation focused on the public good. Cal/OSHA must improve protections for workers and the public through related Title 8 standards. GHS is not a burden to inter-state commerce. I reflects compelling local conditions. Current protections should be increased in line with the real GHS, where that is available, and ensure MSDS information is complete and accurate, with penalties for failure to provide complete information. More robust and complete testing must be required to fill numerous information gaps, and strong evidence from any credible study should be incorporated into the body of information provided to the public. This includes provision of information on chemical hazards that can occur at very low doses (e.g., endocrine disruption, cancer, developmental toxicity, immunosuppression, mutations).

There is no excuse for delays in updating labels to reflect current knowledge. Marketing and sales information are reviewed very frequently and likewise labeling information – something that is critical to health and welfare of the public – should be updated just as frequently. Companies must conduct frequent in-house or contract reviews of the health-related science for products/ingredients as a condition of marketing or using potentially hazardous products. Corporate responsibility require due diligence with respect to product safety and communication.

States are responsible for provide the best possible living and working conditions for their residents. Numerous hazards exist in workplaces and the broader community. People have a far greater opportunity to protect their health if they are fully informed regarding the nature of what they are encountering so that they can make wise choices regarding their own protection and work in an informed manner to improve their future health and that of their community. This is of economic, social, and personal benefit to all California residents.

Sincerely,
Dr. Kathleen Burns

Director
Sciencecorps
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