

Inspection Checklist for Hazard Communication (29 CFR 1910.1200)			
Entity Name:		Inspection Date:	
Street Address:			
City, State, Zip:		RO:	
Lead Inspector:		ARO(s):	
Other Inspectors:			
Building/Room(s):			
PI(s):			
HHS Agents:			
Overlap Agents:			
USDA Agents:			

**When information is entered in this form, the form is to be considered “Sensitive Select Agent Information.”**

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (e)(1)	Employers shall develop, implement and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g) and (h) of this section for labels and other forms of warning, material safety data sheets, and employee information and training will be met, and which also include the following:				
<b>29 CFR:</b> 1910.1200 (e)(1)(i)	A list of the hazardous chemicals known to be present using an identity that is referenced on the appropriate material safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and,				
<b>29 CFR:</b> 1910.1200 (e)(1)(ii)	The methods the employer will use to inform employees of the hazards of non-routine tasks, and the hazards associated with chemicals contained in unlabeled pipes in their work areas.				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (e)(2)	Employers who produce, use, or store hazardous chemicals at a workplace in such a way that the employees of other employer(s) may be exposed shall additionally ensure that the hazard communication programs developed and implemented under this paragraph (e) include the following:				
<b>29 CFR:</b> 1910.1200 (e)(2)(i)	The methods the employer will use to provide the other employer(s) on-site access to material safety data sheets for each hazardous chemical the other employer(s) employees may be exposed to while working;				
<b>29 CFR:</b> 1910.1200 (e)(2)(ii)	The methods the employer will use to inform the other employer(s) of any precautionary measures that need to be taken to protect employees during the workplace's normal operating conditions and in foreseeable emergencies; and,				
<b>29 CFR:</b> 1910.1200 (e)(2)(iii)	The methods the employer will use to inform the other employer(s) of the labeling system used in the workplace.				
<b>29 CFR:</b> 1910.1200 (e)(3)	The employer may rely on an existing hazard communication program to comply with these requirements, provided that it meets the criteria established in this paragraph (e).				
<b>29 CFR:</b> 1910.1200 (e)(4)	The employer shall make the written hazard communication program available, upon request, to employees, their designated representatives, the Assistant Secretary and the Director, in accordance with the requirements of 29 CFR 1910.20 (e).				
<b>29 CFR:</b> 1910.1200 (e)(5)	Where employees must travel between workplaces during a work shift (i.e., their work is carried out at more than one geographical location), the written hazard communication program may be kept at the primary workplace facility.				
<b>29 CFR:</b> 1910.120 (f)(1)	The chemical manufacturer, importer, or distributor shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged or marked with the following information:				
<b>29 CFR:</b> 1910.120 (f)(1)(i)	Identity of the hazardous chemical(s);				
<b>29 CFR:</b> 1910.120 (f)(1)(ii)	Appropriate hazard warnings; and,				
<b>29 CFR:</b> 1910.120 (f)(1)(iii)	Name and address of the chemical manufacturer, importer, or other responsible party.				
<b>29 CFR:</b> 1910.120 (f)(3)	Chemical manufacturers, importers, or distributors shall ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked in accordance with this section in a manner which does not conflict with the requirements of the Hazardous Materials Transportation Act and regulations issued under that Act by the Department of Transportation.				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR: 1910.1200 (f)(4)</b>	If the hazardous chemical is regulated by OSHA in a substance-specific health standard, the chemical manufacturer, importer, distributor or employer shall ensure that the labels or other forms of warning used are in accordance with the requirements of that standard.				
<b>29 CFR: 1910.1200 (f)(5)</b>	Except as provided in paragraphs (f)(6) and (f)(7) of this section, the employer shall ensure that each container of the hazardous chemicals in the workplace is labeled, tagged or marked with the following information:				
<b>29 CFR: 1910.1200 (f)(5)(i)</b>	Identity of the hazardous chemical(s) contained therein; and,				
<b>29 CFR: 1910.1200 (f)(5)(ii)</b>	Appropriate hazard warnings, or alternatively, words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.				
<b>29 CFR: 1910.1200 (f)(6)</b>	The employer may use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials in lieu of affixing labels to individual stationary process containers, as long as the alternative method identifies the containers to which it is applicable and conveys the information required by paragraph (f)(5) of this section to be on a label. The written materials shall be readily accessible to the employees in their work area throughout each work				
<b>29 CFR: 1910.1200 (f)(7)</b>	The employer is not required to label portable containers into which hazardous chemicals are transferred from labeled containers, and which are intended only for the immediate use of the employee who performs the transfer.				
<b>29 CFR: 1910.1200 (f)(8)</b>	The employer shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.				
<b>29 CFR: 1910.1200 (f)(9)</b>	The employer shall ensure that labels or other forms of warning are legible, in English, and prominently displayed on the container, or readily available in the work area throughout each work shift. Employers having employees who speak other languages may add the information in their language to the material presented, as long as the information is presented in English as well.				
<b>29 CFR: 1910.1200 (f)(10)</b>	The chemical manufacturer, importer, distributor or employer need not affix new labels to comply with this section if existing labels already convey the required				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR: 1910.1200 (f)(11)</b>	Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical shall revise the labels for the chemical within three months of becoming aware of the new information. Labels on containers of hazardous chemicals shipped after that time shall contain the new information. If the chemical is not currently produced or imported, the chemical manufacturer, importers, distributor, or employer shall add the information to the label before the chemical is shipped or introduced into the workplace again.				
<b>29 CFR: 1910.1200 (g)(1)</b>	Chemical manufacturers and importers shall obtain or develop a material safety data sheet (MSDS) for each hazardous chemical they produce or import. Employers shall have a material safety data sheet in the workplace for each hazardous chemical which they use.				
<b>29 CFR: 1910.1200 (g)(2)</b>	Each material safety data sheet shall be in English (although the employer may maintain copies in other languages as well), and shall contain at least the following information:				
<b>29 CFR: 1910.1200 (g)(2)(i)</b>	The identity used on the label, and, except as provided for in paragraph (i) of this section on trade secrets:				
<b>29 CFR: 1910.1200 (g)(2)(i)(A)</b>	If the hazardous chemical is a single substance, its chemical and common name(s);				
<b>29 CFR: 1910.1200 (g)(2)(i)(B)</b>	If the hazardous chemical is a mixture which has been tested as a whole to determine its hazards, the chemical and common name(s) of the ingredients which contribute to these known hazards, and the common name(s) of the mixture itself; or,				
<b>29 CFR: 1910.1200 (g)(2)(i)(C)</b>	If the hazardous chemical is a mixture which has not been tested as a whole:				
<b>29 CFR: 1910.1200 (g)(2)(i)(C)(1)</b>	The chemical and common name(s) of all ingredients which have been determined to be health hazards, and which comprise 1% or greater of the composition, except that chemicals identified as carcinogens, shall be listed if the concentrations are 0.1% or greater; and,				
<b>29 CFR: 1910.1200 (g)(2)(i)(C)(2)</b>	The chemical and common name(s) of all ingredients which have been determined to be health hazards, and which comprise less than 1% (0.1% for carcinogens) of the mixture, if there is evidence that the ingredient(s) could be released from the mixture in concentrations which would exceed an established OSHA permissible exposure limit or ACGIH (American Conference of Governmental Industrial Hygienists) Threshold Limit Value, or could present a health risk to employees; and,				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (g)(2)(i)(C)(3)	The chemical and common name(s) of all ingredients which have been determined to present a physical hazard when present in the mixture;				
<b>29 CFR:</b> 1910.1200 (g)(2)(ii)	Physical and chemical characteristics of the hazardous chemical (such as vapor pressure, flash point);				
<b>29 CFR:</b> 1910.1200 (g)(2)(iii)	The physical hazards of the hazardous chemical, including the potential for fire, explosion, and reactivity;				
<b>29 CFR:</b> 1910.1200 (g)(2)(iv)	The health hazards of the hazardous chemical, including signs and symptoms of exposure, and any medical conditions which are generally recognized as being aggravated by exposure to the chemical;				
<b>29 CFR:</b> 1910.1200 (g)(2)(v)	The primary route(s) of entry;				
<b>29 CFR:</b> 1910.1200 (g)(2)(vi)	The OSHA permissible exposure limit, ACGIH (American Conference of Governmental Industrial Hygienists) Threshold Limit Value, and any other exposure limit used or recommended by the chemical manufacturer, importer, or employer preparing the material safety data sheet, where available;				
<b>29 CFR:</b> 1910.1200 (g)(2)(vii)	Whether the hazardous chemical is listed in the National Toxicology Program (NTP) Annual Report on Carcinogens (latest edition) or has been found to be a potential carcinogen in the International Agency for Research on Cancer (IARC) Monographs (latest editions), or by OSHA;				
<b>29 CFR:</b> 1910.1200 (g)(2)(viii)	Any generally applicable precautions for safe handling and use which are known to the chemical manufacturer, importer or employer preparing the material safety data sheet, including appropriate hygienic practices, protective measures during repair and maintenance of contaminated equipment, and procedures for clean-up of spills and leaks;				
<b>29 CFR:</b> 1910.1200 (g)(2)(ix)	Any generally applicable control measures which are known to the chemical manufacturer, importer or employer preparing the material safety data sheet, such as appropriate engineering controls, work practices, or personal protective equipment;				
<b>29 CFR:</b> 1910.1200 (g)(2)(x)	Emergency and first aid procedures;				
<b>29 CFR:</b> 1910.1200 (g)(2)(xi)	The date of preparation of the material safety data sheet or the last change to it; and,				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
29 CFR: 1910.1200 (g)(2)(xii)	The name, address and telephone number of the chemical manufacturer, importer, employer or other responsible party preparing or distributing the material safety data sheet, who can provide additional information on the hazardous chemical and appropriate emergency procedures, if necessary.				
29 CFR: 1910.1200 (g)(3)	If no relevant information is found for any given category on the material safety data sheet, the chemical manufacturer, importer or employer preparing the material safety data sheet shall mark it to indicate that no applicable information was found.				
29 CFR: 1910.1200 (g)(4)	Where complex mixtures have similar hazards and contents (i.e., the chemical ingredients are essentially the same, but the specific composition varies from mixture to mixture), the chemical manufacturer, importer or employer may prepare one material safety data sheet to apply to all of these similar mixtures.				
29 CFR: 1910.1200 (g)(5)	The chemical manufacturer, importer or employer preparing the material safety data sheet shall ensure that the information recorded accurately reflects the scientific evidence used in making the hazard determination. If the chemical manufacturer, importer or employer preparing the material safety data sheet becomes newly aware of any significant information regarding the hazards of a chemical, or ways to protect against the hazards, this new information shall be added to the material safety data sheet within three months. If the chemical is not currently being produced or imported the chemical manufacturer or importer shall add the information to the material safety data sheet before the chemical is introduced into the workplace again.				
29 CFR: 1910.1200 (g)(6)(i)	Chemical manufacturers or importers shall ensure that distributors and employers are provided an appropriate material safety data sheet with their initial shipment, and with the first shipment after a material safety data sheet is updated;				
29 CFR: 1910.1200 (g)(6)(ii)	The chemical manufacturer or importer shall either provide material safety data sheets with the shipped containers or send them to the distributor or employer prior to or at the time of the shipment;				
29 CFR: 1910.1200 (g)(6)(iii)	If the material safety data sheet is not provided with a shipment that has been labeled as a hazardous chemical, the distributor or employer shall obtain one from the chemical manufacturer or importer as soon as possible; and,				
29 CFR: 1910.1200 (g)(6)(iv)	The chemical manufacturer or importer shall also provide distributors or employers with a material safety data sheet upon request.				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR: 1910.1200 (g)(7)(i)</b>	Distributors shall ensure that material safety data sheets, and updated information, are provided to other distributors and employers with their initial shipment and with the first shipment after a material safety data sheet is updated;				
<b>29 CFR: 1910.1200 (g)(7)(ii)</b>	The distributor shall either provide material safety data sheets with the shipped containers, or send them to the other distributor or employer prior to or at the time of the shipment;				
<b>29 CFR: 1910.1200 (g)(7)(iii)</b>	Retail distributors selling hazardous chemicals to employers having a commercial account shall provide a material safety data sheet to such employers upon request, and shall post a sign or otherwise inform them that a material safety data sheet is available;				
<b>29 CFR: 1910.1200 (g)(7)(iv)</b>	Wholesale distributors selling hazardous chemicals to employers over-the-counter may also provide material safety data sheets upon the request of the employer at the time of the over-the-counter purchase, and shall post a sign or otherwise inform such employers that a material safety data sheet is available;				
<b>29 CFR: 1910.1200 (g)(7)(v)</b>	If an employer without a commercial account purchases a hazardous chemical from a retail distributor not required to have material safety data sheets on file (i.e., the retail distributor does not have commercial accounts and does not use the materials), the retail distributor shall provide the employer, upon request, with the name, address, and telephone number of the chemical manufacturer, importer, or distributor from which a material safety data sheet can be obtained;				
<b>29 CFR: 1910.1200 (g)(7)(vi)</b>	Wholesale distributors shall also provide material safety data sheets to employers or other distributors upon request; and,				
<b>29 CFR: 1910.1200 (g)(7)(vii)</b>	Chemical manufacturers, importers, and distributors need not provide material safety data sheets to retail distributors that have informed them that the retail distributor does not sell the product to commercial accounts or open the sealed container to use it in their own workplaces.				
<b>29 CFR: 1910.1200 (g)(8)</b>	The employer shall maintain in the workplace copies of the required material safety data sheets for each hazardous chemical, and shall ensure that they are readily accessible during each work shift to employees when they are in their work area(s). (Electronic access, microfiche, and other alternatives to maintaining paper copies of the material safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (g)(9)	Where employees must travel between workplaces during a work shift (i.e., their work is carried out at more than one geographical location), the material safety data sheets may be kept at the primary workplace facility. In this situation, the employer shall ensure that employees can immediately obtain the required information in an emergency.				
<b>29 CFR:</b> 1910.1200 (g)(10)	Material safety data sheets may be kept in any form, including operating procedures, and may be designed to cover groups of hazardous chemicals in a work area where it may be more appropriate to address the hazards of a process rather than individual hazardous chemicals. However, the employer shall ensure that in all cases the required information is provided for each hazardous chemical, and is readily accessible during each work shift to employees when they are in their work area(s).				
<b>29 CFR:</b> 1910.1200 (g)(11)	Material safety data sheets shall also be made readily available, upon request, to designated representatives and to the Assistant Secretary, in accordance with the requirements of 29 CFR 1910.1020(e). The Director shall also be given access to material safety data sheets in the same manner.				
<b>29 CFR:</b> 1910.1200 (h)(1)	Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and material safety data sheets.				
<b>29 CFR:</b> 1910.1200 (h)(2)	Employees shall be informed of:				
<b>29 CFR:</b> 1910.1200 (h)(2)(i)	The requirements of this section;				
<b>29 CFR:</b> 1910.1200 (h)(2)(ii)	Any operations in their work area where hazardous chemicals are present; and,				
<b>29 CFR:</b> 1910.1200 (h)(2)(iii)	The location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and material safety data sheets required by this section.				
<b>29 CFR:</b> 1910.1200 (h)(3)	Employee training shall include at least:				

Entity Name:		Inspection Date:			Comments
Reference	Statement	Response			
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (h)(3)(i)	Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by the employer, continuous monitoring devices, visual appearance or odor of hazardous chemicals when being released, etc.);				
<b>29 CFR:</b> 1910.1200 (h)(3)(ii)	The physical and health hazards of the chemicals in the work area;				
<b>29 CFR:</b> 1910.1200 (h)(3)(iii)	The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used; and,				
<b>29 CFR:</b> 1910.1200 (h)(3)(iv)	The details of the hazard communication program developed by the employer, including an explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information.				
<b>29 CFR:</b> 1910.1200 (i)(1)	The chemical manufacturer, importer, or employer may withhold the specific chemical identity, including the chemical name and other specific identification of a hazardous chemical, from the material safety data sheet, provided that:				
<b>29 CFR:</b> 1910.1200 (i)(1)(i)	The claim that the information withheld is a trade secret can be supported;				
<b>29 CFR:</b> 1910.1200 (i)(1)(ii)	Information contained in the material safety data sheet concerning the properties and effects of the hazardous chemical is disclosed;				
<b>29 CFR:</b> 1910.1200 (i)(1)(iii)	The material safety data sheet indicates that the specific chemical identity is being withheld as a trade secret; and,				
<b>29 CFR:</b> 1910.1200 (i)(1)(iv)	The specific chemical identity is made available to health professionals, employees, and designated representatives in accordance with the applicable provisions of this paragraph.				
<b>29 CFR:</b> 1910.1200 (i)(2)	Where a treating physician or nurse determines that a medical emergency exists and the specific chemical identity of a hazardous chemical is necessary for emergency or first-aid treatment, the chemical manufacturer, importer, or employer shall immediately disclose the specific chemical identity of a trade secret chemical to that treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The chemical manufacturer, importer, or employer may require a written statement of need and confidentiality agreement, in accordance with the provisions of paragraphs (i)(3) and (i)(4) of this section, as soon as circumstances permit.				

Entity Name:	Inspection Date:				
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (i)(3)	In non-emergency situations, a chemical manufacturer, importer, or employer shall, upon request, disclose a specific chemical identity, otherwise permitted to be withheld under paragraph (i)(1) of this section, to a health professional (i.e., physician, industrial hygienist, toxicologist, epidemiologist, or occupational health nurse) providing medical or other occupational health services to exposed employee(s), and to employees or designated representatives, if:				
<b>29 CFR:</b> 1910.1200 (i)(3)(i)	The request is in writing;				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)	The request describes with reasonable detail one or more of the following occupational health needs for the information:				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(A)	To assess the hazards of the chemicals to which employees will be exposed;				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(B)	To conduct or assess sampling of the workplace atmosphere to determine employee exposure levels;				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(C)	To conduct pre-assignment or periodic medical surveillance of exposed employees;				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(D)	To provide medical treatment to exposed employees;				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(E)	To select or assess appropriate personal protective equipment for exposed employees;				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(F)	To design or assess engineering controls or other protective measures for exposed employees; and,				
<b>29 CFR:</b> 1910.1200 (i)(3)(ii)(G)	To conduct studies to determine the health effects of exposure .				
<b>29 CFR:</b> 1910.1200 (i)(3)(iii)	The request explains in detail why the disclosure of the specific chemical identity is essential and that, in lieu thereof, the disclosure of the following information to the health professional, employee, or designated representative, would not satisfy the purposes described in paragraph (i)(3)(ii) of this section:				
<b>29 CFR:</b> 1910.1200 (i)(3)(iii)(A)	The properties and effects of the chemical;				
<b>29 CFR:</b> 1910.1200 (i)(3)(iii)(B)	Measures for controlling worker's exposure to the chemical;				
<b>29 CFR:</b> 1910.1200 (i)(3)(iii)(C)	Methods of monitoring and analyzing worker exposure to the chemical; and,				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (i)(3)(iii)(D)	Methods of diagnosing and treating harmful exposures to the chemical;				
<b>29 CFR:</b> 1910.1200 (i)(3)(iv)	The request includes a description of the procedures to be used to maintain the confidentiality of the disclosed information; and,				
<b>29 CFR:</b> 1910.1200 (i)(3)(v)	The health professional, and the employer or contractor of the services of the health professional (i.e., downstream employer, labor organization, or individual employee), employee, or designated representative, agree in a written confidentiality agreement that the health professional, employee, or designated representative, will not use the trade secret information for any purpose other than the health need(s) asserted and agree not to release the information under any circumstances other than to OSHA, as provided in paragraph (i)(6) of this section, except as authorized by the terms of the agreement or by the chemical manufacturer, importer, or employer.				
<b>29 CFR:</b> 1910.1200 (i)(4)	The confidentiality agreement authorized by paragraph (i)(3)(iv) of this section:				
<b>29 CFR:</b> 1910.1200 (i)(4)(i)	May restrict the use of the information to the health purposes indicated in the written statement of need;				
<b>29 CFR:</b> 1910.1200 (i)(4)(ii)	May provide for appropriate legal remedies in the event of a breach of the agreement, including stipulation of a reasonable pre-estimate of likely damages; and,				
<b>29 CFR:</b> 1910.1200 (i)(4)(iii)	May not include requirements for the posting of a penalty bond.				
<b>29 CFR:</b> 1910.1200 (i)(5)	Nothing in this standard is meant to preclude the parties from pursuing non-contractual remedies to the extent permitted by law.				
<b>29 CFR:</b> 1910.1200 (i)(6)	If the health professional, employee, or designated representative receiving the trade secret information decides that there is a need to disclose it to OSHA, the chemical manufacturer, importer, or employer who provided the information shall be informed by the health professional, employee, or designated representative prior to, or at the same time as, such disclosure.				
<b>29 CFR:</b> 1910.1200 (i)(7)	If the chemical manufacturer, importer, or employer denies a written request for disclosure of a specific chemical identity, the denial must:				
<b>29 CFR:</b> 1910.1200 (i)(7)(i)	Be provided to the health professional, employee, or designated representative, within thirty days of the request;				

Entity Name:		Inspection Date:			
Reference	Statement	Response			Comments
		Yes	No	N/A	
<b>29 CFR:</b> 1910.1200 (i)(7)(ii)	Be in writing;				
<b>29 CFR:</b> 1910.1200 (i)(7)(iii)	Include evidence to support the claim that the specific chemical identity is a trade secret;				
<b>29 CFR: 1910.1200</b> (i)(7)(iv)	State the specific reasons why the request is being denied; and,				
<b>29 CFR:</b> 1910.1200 (i)(7)(v)	Explain in detail how alternative information may satisfy the specific medical or occupational health need without revealing the specific chemical identity.				
<b>29 CFR:</b> 1910.1200 (i)(8)	The health professional, employee, or designated representative whose request for information is denied under paragraph (i)(3) of this section may refer the request and the written denial of the request to OSHA for consideration.				
<b>29 CFR:</b> 1910.1200 (i)(9)	When a health professional, employee, or designated representative refers the denial to OSHA under paragraph (i)(8) of this section, OSHA shall consider the evidence to determine if:				
<b>29 CFR:</b> 1910.1200 (i)(9)(i)	The chemical manufacturer, importer, or employer has supported the claim that the specific chemical identity is a trade secret;				
<b>29 CFR:</b> 1910.1200 (i)(9)(ii)	The health professional, employee, or designated representative has supported the claim that there is a medical or occupational health need for the information; and,				
<b>29 CFR:</b> 1910.1200 (i)(9)(iii)	The health professional, employee or designated representative has demonstrated adequate means to protect the confidentiality.				
<b>29 CFR:</b> 1910.1200 (i)(10)(i)	If OSHA determines that the specific chemical identity requested under paragraph (i)(3) of this section is not a bona fide trade secret, or that it is a trade secret, but the requesting health professional, employee, or designated representative has a legitimate medical or occupational health need for the information, has executed a written confidentiality agreement, and has shown adequate means to protect the confidentiality of the information, the chemical manufacturer, importer, or employer will be subject to citation by OSHA.				

Entity Name:			Inspection Date:			
Reference	Statement	Response			Comments	
		Yes	No	N/A		
<b>29 CFR: 1910.1200 (i)(10)(ii)</b>	If a chemical manufacturer, importer, or employer demonstrates to OSHA that the execution of a confidentiality agreement would not provide sufficient protection against the potential harm from the unauthorized disclosure of a trade secret specific chemical identity, the Assistant Secretary may issue such orders or impose such additional limitations or conditions upon the disclosure of the requested chemical information as may be appropriate to assure that the occupational health services are provided without an undue risk of harm to the chemical manufacturer, importer, or employer.					
<b>29 CFR: 1910.1200 (i)(11)</b>	If a citation for a failure to release specific chemical identity information is contested by the chemical manufacturer, importer, or employer, the matter will be adjudicated before the Occupational Safety and Health Review Commission in accordance with the Act's enforcement scheme and the applicable Commission rules of procedure. In accordance with the Commission rules, when a chemical manufacturer, importer, or employer continues to withhold the information during the contest, the Administrative Law Judge may review the citation and supporting documentation in camera or issue appropriate orders to protect the confidentiality of such matters.					
<b>29 CFR: 1910.1200 (i)(12)</b>	Notwithstanding the existence of a trade secret claim, a chemical manufacturer, importer, or employer shall, upon request, disclose to the Assistant Secretary any information which this section requires the chemical manufacturer, importer, or employer to make available. Where there is a trade secret claim, such claim shall be made no later than at the time the information is provided to the Assistant Secretary so that suitable determinations of trade secret status can be made and the necessary protections can be implemented.					
<b>29 CFR: 1910.1200 (i)(13)</b>	Nothing in this section shall be construed as requiring the disclosure under any circumstances of process or percentage of mixture information which is a trade secret.					

