

Advocacy Recommends That OSHA Consider Small Business Concerns Before Proposing the “Globally Harmonized System”

On November 2, 2006, the U.S. Small Business Administration’s Office of Advocacy (Advocacy) submitted comments on the Occupational Safety and Health Administration’s (OSHA’s) *Advanced Notice of Proposed Rulemaking (ANPRM) on Hazard Communication (Globally Harmonized System of Classification and Labeling of Chemicals (GHS))*. GHS is the product of a long-term international effort to develop a globally harmonized system for the classification of chemicals for their health, physical, and environmental effects, as well as for developing uniform container labels and safety data sheets (SDS). OSHA’s ANPRM requests public comments on the adoption of GHS, the modification of its current Hazard Communication Standard (HCS), and other information needed to support the rulemaking.

OSHA’s current HCS requires chemical manufacturers and importers to evaluate the hazards of chemicals they produce or import, and to provide information on those hazards to downstream employers and employees in the form of container labels and SDSs. All employers with hazardous chemicals in their workplace are required to have a hazard communication program, including employee training. GHS would change OSHA’s current regulations by adopting internationally standardized provisions for the classification of chemicals, as well as for container labels and SDSs.

Advocacy’s comments summarize a number of small business concerns over the adoption of GHS. A complete copy of Advocacy’s letter to OSHA is available at www.sba.gov/advo/laws/comments/.

- Small business representatives want OSHA to remain open-minded with respect to the adoption of GHS. While many businesses favor GHS, there are also many small businesses that are concerned about the cost and compliance burden of changing from the current system.
- Small business representatives have noted that adopting GHS would be costly because small businesses would have to redo their hazard communication programs, revise their chemical inventory lists, and retrain their employees on GHS (including the new international “pictograms”).
- Advocacy recommended that OSHA consider ways to reduce the impact of GHS on small business, including the development of a model hazard communication program, on-line chemical inventory lists, computer-based SDS management programs, and model training programs.
- Advocacy also recommended that OSHA carefully consider the costs of GHS to small business and determine whether a Small Business Advocacy Review (SBAR) Panel will be required prior to any proposed rule.

For more information about OSHA’s ANPRM on GHS, please visit Advocacy’s Web page at www.sba.gov/advo or contact Bruce Lundegren, Assistant Chief Counsel, at (202) 205-6144 or bruce.lundegren@sba.gov.