

WAC 296-901-14012 Labels and other forms of warning. (1) *Labels on shipped containers.* The chemical manufacturer, importer, or distributor must ensure that each container of hazardous chemicals leaving the workplace is labeled, tagged, or marked. Hazards not otherwise classified do not have to be addressed on the container. Where the chemical manufacturer or importer is required to label, tag or mark the following information must be provided:

- (a) Product identifier;
- (b) Signal word;
- (c) Hazard statement(s);
- (d) Pictogram(s);
- (e) Precautionary statement(s); and
- (f) Name, address, and telephone number of the chemical manufacturer, importer, or other responsible party.

(2) The chemical manufacturer, importer, or distributor must ensure that the information provided under subsection (1)(a) through (e) of this section is in accordance with WAC 296-901-14026, Appendix C—Allocation of label elements, for each hazard class and associated hazard category for the hazardous chemical, prominently displayed, and in English (other languages may also be included if appropriate).

(3) The chemical manufacturer, importer, or distributor must ensure that the information provided under subsection (1)(b) through (d) of this section is located together on the label, tag, or mark.

(4) *Solid materials.*

(a) For solid metal (such as a steel beam or a metal casting), solid wood, or plastic items that are not exempted as articles due to their downstream use, or shipments of whole grain, the required label may be transmitted to the customer at the time of the initial shipment, and need not be included with subsequent shipments to the same employer unless the information on the label changes;

(b) The label may be transmitted with the initial shipment itself, or with the safety data sheet that is to be provided prior to or at the time of the first shipment; and

(c) This exception to requiring labels on every container of hazardous chemicals is only for the solid material itself, and does not apply to hazardous chemicals used in conjunction with, or known to be present with, the material and to which employees handling the items in transit may be exposed (for example, cutting fluids or pesticides in grains).

(5) Chemical manufacturers, importers, or distributors must 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 (49 U.S.C. 1801 *et seq.*) and regulations issued under that act by the Department of Transportation.

(6) *Workplace labeling.* Except as provided in subsection (7) and (8) of this section, the employer must ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with either:

(a) The information specified under subsection (1)(a) through (d) of this section for labels on shipped containers; or

(b) Product identifier and 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 communi-

cation program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

(7) 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 under subsection (6) of this section to be on a label. The employer must ensure the written materials are readily accessible to the employees in their work area throughout each work shift.

(8) 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. For purposes of this section, drugs which are dispensed by a pharmacy to a health care provider for direct administration to a patient are exempted from labeling.

(9) The employer must not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.

(10) The employer must ensure that workplace 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.

(11) Chemical manufacturers, importers, distributors, or employers who become newly aware of any significant information regarding the hazards of a chemical must revise the labels for the chemical within six months of becoming aware of the new information, and must ensure that labels on containers of hazardous chemicals shipped after that time contain the new information. If the chemical is not currently produced or imported, the chemical manufacturer, importer, distributor, or employer must add the information to the label before the chemical is shipped or introduced into the workplace again.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060 and 29 C.F.R. 1910 Subpart Z. WSR 13-06-050, § 296-901-14012, filed 3/5/13, effective 4/15/13.]