G/TBT/N/USA/1697
18 February 2021
(21-1367) Page: 1/2
Committee on Technical Barriers to Trade Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	**Notifying Member:** UNITED STATES OF AMERICA **If applicable, name of local government involved (Article 3.2 and 7.2):**
2.	**Agency responsible:** Occupational Safety and Health Administration (OSHA), Department of Labor [1726] **Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov
3.	**Notified under Article 2.9.2 [ ], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other [X]:**
4.	**Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Chemicals; ORGANIC CHEMICALS (HS 29); Environmental protection (ICS 13.020), Occupational safety. Industrial hygiene (ICS 13.100), Production in the chemical industry (ICS 71.020), Products of the chemical industry (ICS 71.100)
5.	**Title, number of pages and language(s) of the notified document:** Hazard Communication Standard (256 page(s), in English)
6.	**Description of content:** Proposed rule; request for comments - OSHA is proposing through this notice of proposed rulemaking (NPRM) to modify the Hazard Communication Standard (HCS) to conform to the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS) Revision 7 (GHS, Rev. 7), to address issues that arose during the implementation of the 2012 update to the HCS, and provide better alignment with other U.S. agencies and international trading partners, without lowering overall protections of the standard. OSHA has preliminarily determined that the proposed revisions to the HCS will reduce costs and burdens while also improving the quality and consistency of information provided to employers and employees regarding chemical hazards and associated protective measures. Consistent with the Executive order entitled "Improving Regulation and Regulatory Review" (18 January 2011) and section 3(a) of the Regulatory Flexibility Act, which call for assessment and, where appropriate, modification and improvement of existing rules to minimize any significant economic impact upon a substantial number of small entities, OSHA has reviewed the existing HCS. The agency has preliminarily determined that the proposed revisions will enhance the effectiveness of the HCS by ensuring employees are appropriately apprised of the chemical hazards to which they may be exposed, thus reducing the incidence of chemical-related occupational illnesses and injuries. The proposed modifications to the standard include revised criteria for classification of certain health and physical hazards, revised provisions for updating labels, new labeling provisions for small containers, technical amendments related to the contents of safety data sheets (SDSs), and related revisions to definitions of terms used in the standard.
7.	**Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Harmonization

8.	**Relevant documents:** 86 Federal Register (FR) 9576, 16 February 2021; Title 29 Code of Federal Regulations (CFR) Part 1910: https://www.govinfo.gov/content/pkg/FR-2021-02-16/html/2020-28987.htm https://www.govinfo.gov/content/pkg/FR-2021-02-16/pdf/2020-28987.pdf This proposed rule; request for comments is identified by Docket Number OSHA-2019-0001. The Docket Folder is available on Regulations.gov at https://www.regulations.gov/docket?D=OSHA-2019-0001 and provides access to primary and supporting documents as well as comments received. Documents are also accessible from Regulations.gov by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the Docket on Regulations.gov if received within the comment period. G/TBT/N/USA/216 and the subsequent addendum and corrigendum Relevant actions notified under the symbol G/TBT/N/USA/216 are identified by docket number OSHA-H022K-2006-0062. The Docket Folder is available on Regulations.gov at https://www.regulations.gov/docket?D=OSHA-H022K-2006-0062 and provides access to primary and supporting documents as well as comments received. Documents are also accessible from Regulations.gov by searching the docket number.
9.	**Proposed date of adoption:** To be determined **Proposed date of entry into force:** To be determined
10.	**Final date for comments:** 19 April 2021
11.	**Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:** https://members.wto.org/crnattachments/2021/TBT/USA/21_1192_00_e.pdf https://members.wto.org/crnattachments/2021/TBT/USA/21_1192_01_e.pdf https://members.wto.org/crnattachments/2021/TBT/USA/21_1192_02_e.pdf https://members.wto.org/crnattachments/2021/TBT/USA/21_1192_03_e.pdf https://members.wto.org/crnattachments/2021/TBT/USA/21_1192_04_e.pdf