



OSHA 30/30[®]

A thirty minute update
on OSHA law every thirty days

with
Manesh Rath

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**Opening New Markets: Critical New Changes
Coming to the OSHA Hazcom Standard and
Updates on GHS and EU CLP**

October 18, 2023

Manesh Rath

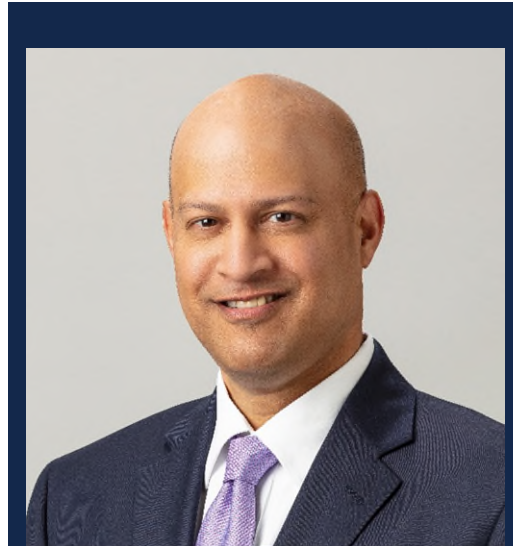


Manesh Rath is a partner in Keller and Heckman's litigation and OSHA practice groups. He has been the lead amicus counsel on several cases before the U.S. Supreme Court including *Staub v. Proctor Hospital* and *Vance v. Ball State University*.

Mr. Rath is a co-author of three books in the fields of wage/hour law, labor and employment law, and OSHA law. He has been quoted or interviewed in *The Wall Street Journal*, Bloomberg, *Smart Money* magazine, *Entrepreneur* magazine, on "PBS's Nightly Business Report," and C-SPAN.

Mr. Rath currently serves on the Board of Advisors for the National Federation of Independent Business (NFIB) Small Business Legal Center. He served on the Society For Human Resources (SHRM) Special Expertise Panel for Safety and Health law for several years.

He was voted by readers to Smart CEO Magazine's Readers' Choice List of Legal Elite; by fellow members to The Best Lawyers in America 2016, 2017 and 2018; selected by Super Lawyers 2016 – 2017, 2017 – 2018; and by corporate counsel as the 2017 Lexology winner of the Client Choice Award.



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Taylor Johnson

Taylor Johnson advises clients on compliance and litigation related to occupational safety and health, employment, environmental, and transportation regulations. He represents employers' interests in citations and investigations under the federal Occupational Health and Safety Administration (OSHA) and state plans across the country.

Additionally, Taylor counsels clients on an extensive range of environmental matters, including compliance with U.S. Environmental Protection Agency (EPA) regulations such as the Toxic Substances Control Act (TSCA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). He provides advice on the domestic and international transportation of hazardous materials and dangerous goods, helping clients navigate the U.S. Department of Transportation's (DOT) Hazardous Materials Regulation (HMR). He also guides clients through the myriad of community right-to-know laws, energy efficiency regulation of products, California's Proposition 65, as well as state law matters regarding e-cigarettes, vapor products, and CBD regulations.



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Ales Bartl



Ales Bartl advises clients on regulatory compliance of a broad range of products marketed in the European Union (EU). Ales primarily focuses on Registration, Evaluation, Authorization, and Restriction of Chemicals (REACH), the Classification, Labelling, and Packaging (CLP) regulation, Biocidal Products Regulation (BPR), Fertilizer Regulation, food law, regulation of electronic products, and product safety.

Ales represents clients in the European Courts and in procedures before the Board of Appeal of the European Chemicals Agency (ECHA). He also represents clients in various proceedings before the ECHA and the European Food Safety Authority (EFSA), as well as before EU and national competent authorities on compliance and enforcement issues, including withdrawals and recalls of unsafe or non-compliant products.

Prior to joining Keller and Heckman, Ales interned at the European Commission (EC) and worked for almost ten years as an EU regulatory associate at two international law firms in Brussels.



Topics to be Discussed

- ◆ Proposed Updates to OSHA HazCom Standard
- ◆ Recent Changes to Globally Harmonized System of Classification and Labeling of Chemicals (GHS)
- ◆ Revision of Classification, Labelling, and Packaging (CLP) Regulation
- ◆ What Employers Should Do

What is the status of revisions to the OSHA hazard communications standard (HCS)?

**Which proposed change to the
HCS would have the greatest
impact on the employer
community?**

What do employers need to know about proposed changes to confidential business information (CBI) claims under the HCS?

Proposed Concentration Ranges

- ◆ **0.1% to 1%**
- ◆ **0.5% to 1.5%**
- ◆ **1% to 5%**
- ◆ **3% to 7%**
- ◆ **5% to 10%**
- ◆ **7% to 13%**
- ◆ **10% to 30%**
- ◆ **15% to 40%**
- ◆ **30% to 60%**
- ◆ **45% to 70%**
- ◆ **60% to 80%**
- ◆ **65% to 85%**
- ◆ **80% to 100%**

Can you explain the proposed exemption for small containers?

Will OSHA's update to the HCS match the current GHS?

When would these changes to the HCS take effect?

What are the major changes that came with the recent change to GHS 10?

Explain the changes focused on the use of non-animal testing

What do employers need to know about the new CLP revision?

How do these changes impact international employers and chemical manufacturers?



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THANK YOU!