

OSHA's 2024 HazCom Final Rule

OSHA's 2024 HazCom final rule introduces updates to chemical classification, labeling and safety data sheets.

Since OSHA published its 2024 final rule updating the HazCom standard, many business leaders and EHS professionals have had questions about its impact. Learning about these changes is critical, as the compliance countdown has already begun. OSHA estimates that the rule will impact 94 percent of Safety Data Sheets (SDSs) and 64 percent of shipped container labels. Start preparing for these changes now.

The first step is to understand the updated HazCom requirements. Here are some of the most frequently asked questions about OSHA's HazCom final rule and the big-picture takeaways to help busy EHS professionals maintain compliance and protect workers.

When Did OSHA Publish The 2024 HazCom Final Rule?

OSHA published the 2024 final rule in the Federal Register on May 20, 2024. Stakeholders had been anticipating the final rule for quite some time because OSHA published the Notice of Proposed Rulemaking (NPRM) to update the HazCom Standard in February 2021 and held a public hearing to get feedback on the proposal in September 2021.

Does the HazCom Final Rule Affect Me?

The short answer is “yes.” The longer answer is that the final rule affects everyone, including you and your business, regardless of where you sit in the chemical supply chain.

To add context, manufacturers of specific chemicals are most affected by the final rule. Products like aerosols, chemicals under pressure, flammable gases, and desensitized explosives, along with many other chemicals, will need new classifications and/or updated hazard information in SDSs and shipped container labels due to changes in the final rule. In fact, OSHA estimates that the final rule will require revisions of up to 95 percent of SDSs and 64 percent of shipped container labels. Distributors must ensure they get updated SDSs and shipped container labels from their upstream suppliers, and employers will need to update their SDS libraries and incorporate revised hazard information into their workplace HazCom management practices.

Here's a breakdown summarizing manufacturer, distributor, and employer/end-user responsibilities:

- **Manufacturers.** Must classify chemicals in accordance with updated provisions and provide updated SDSs and shipped container labels for products affected by the final rule.

- **Distributors.** Ensure that you receive updated SDSs and shipped container labels from upstream suppliers and provide them in shipments to downstream users.
- **Employers/End Users.** Confirm that you've received updated SDSs and shipped container labels for products affected by the final rule, and then use this information to update your HazCom practices, including your written plan, your workplace labeling system and your HazCom training.

Note: manufacturers and distributors play dual roles as employers for their own workforce. So, they would also need to meet employer obligations.

It Looks Like the HazCom Final Rule Affects Me. So What Are the Biggest Changes?

In general, the final rule updates the HazCom standard by aligning it with more recent versions of the UN's Globally Harmonized System of Classification and Labelling of Chemicals (GHS). Previously, the HazCom standard was aligned with GHS Revision 3 due to a 2012 final rule which, prior to the 2024 final rule, had been the most recent HazCom update. The 2024 final rule aligns HazCom with GHS Revision 7 and select elements of Revision 8.

The major changes include:

- **Updated hazard classes and classification criteria.** The final rule revises hazard classifications for aerosols, desensitized explosives, flammable gases, and chemicals under pressure (a new category within the aerosols class).
- **Updated labeling allowances and requirements for “small” and “very small” containers.** The rule allows manufacturers of chemicals in small containers (100 mL or less) to use abbreviated shipped container label information on the immediate container, and for manufacturers of very small containers (3 mL or less) to include only the product identifier on the immediate container if a label would interfere with the container's use. In both cases, the outer packaging must have full shipped container label information, and the label must tell users to keep the small or very small containers in the outer packaging when not in use.
- **Labeling provisions for containers “released for shipment.”** The rule includes an allowance for manufacturers, importers or distributors who become aware of new significant hazard information to not need to relabel chemical products already released for shipment (i.e., bundled, palletized, etc.).
- **Updated criteria to consider when classifying a chemical.** The final rule clarifies and updates the requirements for chemical manufacturers to consider intrinsic properties, including hazards from known or reasonably anticipated

downstream uses when classifying their products. These details must be included in Section 2 of SDSs.

- **Updated information requirements for SDSs.** OSHA has made several changes to the information required on SDSs, including the addition of “particle characteristics” to Section 9, clarification that Section 1 must contain domestic contact information and updated instructions for chemical manufacturers to include in Section 2.
- **Updated and expanded classification methods for some chemicals and updated classification instructions.** The final rule allows for new classification methods for some chemicals, including oxidizing solids, while updating or clarifying instructions for several other categories.

I Am an Employer Who Uses Chemicals Affected by the Final Rule. How Does It Change the Way I Manage Those Chemicals or HazCom?

By asking this question, you’re already ahead of your peers who either don’t know about the final rule or mistakenly assume it only applies to chemical manufacturers.

The final rule does not directly change requirements for employers, such as workplace labeling, training, or the details to include in your written HazCom plan. However, to meet your current requirements, you will need to account for the ways the final rule affects chemical classifications and related information like pictograms, signal words and hazard statements. For example, you’ll need to make sure your workplace labels are aligned with updated shipped container labels from your suppliers, which may reflect different classifications and related information because of the final rule. You’ll also need to ensure that your written HazCom plan and workplace HazCom training reflect the most recent updates.

A good starting point is to focus on the classes of hazardous chemicals affected by the final rule, namely aerosols, desensitized explosives, flammable gases, and chemicals under pressure. If you have chemicals within these classes in your inventory, you’ll want to start planning how to update your HazCom management practices to account for new information and ensure your employees can access the updated information and also understand it.

When Do I Need to Comply with OSHA’s Updated HazCom Requirements?

From the final rule’s effective date of July 19, 2024, OSHA requires manufacturers of substances to comply within 18 months and manufacturers of mixtures within 36 months.

Employers using chemical products affected by the final rule must implement changes to workplace hazard communication practices (such as workplace labels, the written HazCom plan, and worker training) within six months after the manufacturer deadlines for substances and mixtures.

Here are the obligations and associated compliance deadlines for chemical users across the supply chain:

- **Manufacturers of substances.** Classify chemicals according to revised criteria, including paragraph (d)(1) and new criteria for aerosols, chemicals under pressure, flammable gases and desensitized explosives, and update SDSs and shipped container labels as needed; Compliance date: January 19, 2026
- **Employers using substances affected by final rule.** Confirm receipt of updated SDSs and shipped container labels from suppliers, and use information to update workplace labels, HazCom training and the written HazCom plan; Compliance date: July 20, 2026
- **Manufacturers of mixtures.** Classify chemicals according to revised criteria, including paragraph (d)(1) and new criteria for aerosols, chemicals under pressure, flammable games and desensitized explosives, and update SDSs and shipped container labels as needed; Compliance date: July 19, 2027
- **Employers using mixtures affected by the final rule.** Confirm receipt of updated SDSs and shipped container labels from suppliers, and use information to update workplace labels, HazCom training and the written HazCom plan; Compliance date: January 19, 2028

How Can I Start Preparing for the Updated OSHA HazCom Requirements?

The HazCom final rule will not have the same level of impact as the 2012 final rule. The current changes are more limited in scope, affecting certain chemical hazard classes and specific details related to chemical classification and information on SDSs.

Even so, many manufacturers will need to reclassify some of their products and meet updated information requirements. This will result in many reauthored SDSs and shipped container labels. End users of chemicals must be aware of whether their products are affected by the changes and be prepared to track and use updated SDSs. This includes incorporating any updated hazard classifications into their workplace labeling system, HazCom training and written HazCom plan.

Preparation starts with having straightforward and effective processes for maintaining an up-to-date SDS library that is accessible from anywhere. This will help you better track the receipt of updated SDSs from your suppliers and incorporate the new information into your workplace HazCom management practices.

Make sure you have the tools necessary to easily manage your SDS library and access hazardous chemical information at any time, so that you can meet HazCom compliance deadlines and keep workers safe.