

# DESCO INDUSTRIES INCORPORATED

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## Safety Data Sheets – Exemptions for Non-Chemical Products

According to Occupational Safety and Health Administration (OSHA) 29 CFR 1910.1200(c), non-hazardous and non-chemical articles are exempt and no longer require Safety Data Sheets (SDS). Likewise, according to the European Chemicals Association (ECHA), a SDS is not required for an article.

Per Occupational Safety and Health Administration (OSHA) 29 CFR 1910.1200(c), an "article" is defined as...

*...a manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (in) which under normal conditions of use does not release more than very small quantities, e.g., minute or trace amounts of a hazardous chemical (as determined under paragraph (d) of this section), and does not pose a physical hazard or health risk to employees.*

For the EU, the specific section of the regulation that defines "articles" can be found in [Article 3\(3\) under EU regulation \(EC\) No 1907/2006](#).

*"Article: means an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition."*

When the product is classified as an "article", a SDS is not required per ECHA (European Chemicals Agency) "[Guidance on the compilation of safety data sheets](#)".

DII non-chemical products meet these definitions; therefore, under 29 CFR 1910.1200(b)(6)(v) and Article 3(3) under EU regulation (EC) No. 1907/2006, DII non-chemical products are exempted, and a Safety Data Sheet is not required. This statement is being offered in lieu of a SDS for OSHA recordkeeping and EPA Right-To-Know compliance.

We plan to provide only the required Safety Data Sheets and advise end users to follow their Hazardous Communication recordkeeping policy for discontinued Safety Data Sheets.

The product information is to the best of our knowledge and may be based on third party supplier information and/or our knowledge and experience regarding ESD control and other products.

See Desco Industries Inc. limited warranty at <http://descoindustries.com/Warranty.aspx> which states in part: Desco Industries Inc. only obligation shall be to replace such quantity of the product proved to be defective. Desco Industries Inc. shall not be liable for any injury, loss, or damage, direct or consequential, arising out of the use of or the inability to use the product. Before using, users shall determine the suitability of the product for their intended use, and users assume all risk and liability whatsoever in connection therewith.