



Labels Under the Texas Hazard Communication Act

Public employers are required to ensure that hazardous chemical containers in the workplace are labeled in compliance with the Texas Hazard Communication Act (THCA), Chapter 502 of the Texas Health and Safety Code. An employee may not be required to work with a hazardous chemical from an unlabeled container except for a portable container intended for the immediate use of the employee who performs the transfer. Labels must use the same product identifier that is on the Safety Data Sheet (SDS) for the hazardous chemical. In addition, the employer shall ensure that labels or other forms of warning are legible, in English, and prominently displayed on the container throughout each work shift. The employer may add label information in another language to hazardous chemical containers.

Labels and the Globally Harmonized System (GHS)

Under the Occupational Health and Safety Administration's (OSHA's) Hazard Communication Standard (HCS), hazardous chemical manufacturers, importers, and distributors are required to provide labels that meet certain requirements on all shipments of hazardous chemicals. OSHA's Hazard Communication Standard is now aligned with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The Globally Harmonized System (GHS) is an international approach to hazard communication, providing agreed criteria for classification of chemical hazards, and a standardized approach to label elements and safety data sheets. As of December 1, 2015, all labels provided by the manufacturers or distributors of hazardous chemicals will be required to be GHS compliant. GHS compliant labels will have pictograms, a signal word, hazard and precautionary statements, the product identifier, and supplier identification. Training on both the old and the new label elements should continue throughout the transition period until employers no longer have any of the old labels on site.

OSHA has great materials on the new [GHS compliant labels](#).

Types of Containers

Public employers in Texas are **not allowed to remove or deface a label on an existing container of a hazardous chemical** unless it is illegible, inaccurate, or does not conform to the OSHA standard or other applicable labeling requirement. All hazardous chemical containers must be relabeled **prior** to use by employees.

Containers are any bag, barrel, bottle, box, can, cylinder, drum, reaction vessel, storage tank, or the like that contains a hazardous chemical or contains multiple smaller containers of an identical hazardous chemical. The term "container" does not mean pipes or piping systems, nor does it mean engines, fuel tanks, or other operating systems in a vehicle. **Individual stationary process containers** may be labeled using signs, placards, process sheets, batch tickets, operating procedures, or other such written materials as long as the alternative method identifies the containers to which it is applicable and conveys the label information required by the THCA.

Primary containers are the containers in which the hazardous chemical was received from the manufacturer or distributor. If a primary container must be relabeled, the new label will at least contain: 1) the identity of the hazardous chemical as it appears on the SDS; 2) the pertinent physical and health hazards, including the organs that would be affected; 3) and the manufacturer's name and address. The hazards may be expressed through 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 employer's education and training program, will reasonably provide employees with the specific information regarding the physical and health hazards, including the target organ effects of the hazardous chemical. Employers may request an accurate replacement label from a supplier or may prepare their own replacement labels.

A **secondary container** is one to which the hazardous chemical is transferred after receipt from the supplier. Secondary containers must be labeled with at least the identity appearing on the SDS and the appropriate hazard warnings. The hazards may be expressed through 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 employer's education and training program, will reasonably provide employees with the specific information regarding the physical and health hazards, including the target organ effects of the hazardous chemical.

Portable containers intended for the **immediate** use of the employee who performs the transfer do not require labels.

Training Requirement and Alternative Labeling Systems

Employers must train employees on interpreting labels and Safety Data Sheets, and the relationship between those two methods of hazard communication. The chemical identifier on all hazardous chemical containers must match the chemical identifier on the SDS. Also, the Workplace Chemical List (WCL) must use the identity used on the SDS and the container label. (Inclusion on the WCL is required only for those hazardous chemicals that meet or exceed the 55 gallon or 500-pound threshold.)

Alternative labeling systems may be used by employers to relabel primary containers or label secondary containers with hazard warnings, contingent on employees being specifically trained on interpreting them. The hazards may be expressed through 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 employer's education and training program, will reasonably provide employees with the specific information regarding the physical and health hazards, including the target organ effects of the hazardous chemical. Alternative labeling systems include the NFPA fire diamonds, HMIS labeling system or USDOT shipping labeling system.

Training is the key to employee understanding of hazardous chemical labels. Employees must be able to match the chemical identified on the label to the correct Safety Data Sheet on file. In addition, employees must be able to understand all hazard warnings on the label. During the transition period to

fully compliant GHS labels, training must continue on both the old and the new label elements. Furthermore, if alternative labeling systems are used, employees must be specifically trained on the alternative labels used. Some alternative labeling systems may use numerical hazard classifications that are directly opposite to the numerical hazard warnings on GHS compliant labels.

Questions or concerns about Container Labeling?

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