

Transcribed, scanned or re-formatted MSDS on a computerised database

Employers are required to obtain a copy of the current manufacturer's or importer's MSDS on or before first supply and to ensure that the manufacturer's or importer's MSDS is accessible to relevant employees. Employers must also ensure that the information in a manufacturer's or importer's MSDS is not altered.

Employers may choose to use a commercially available computerised database system to assist them in managing their material safety data sheets and ensuring accessibility to those sheets. This type of database is particularly helpful where an organisation uses many different hazardous substances and/or has multiple work sites.

The Hazardous Substances Code of Practice advises that:

"Commercially available computerised MSDS databases made available by another party are acceptable provided they contain the manufacturer's or importer's current MSDS. You need to ensure that the MSDS obtained from such a database is the authorised version prepared by the manufacturer or importer".

This means that a manufacturer's or importer's MSDS that has been transcribed, scanned or reformatted by the user (employer) or another party on the user's behalf onto a computerised database, would meet the requirements of the regulations provided that:

- the information contained in the manufacturer's or importer's MSDS has not been altered (regulation 303); AND
- the MSDS on the database is current (regulation 302)

Under the Regulations, it is the responsibility of the user (employer) to ensure that both these conditions are being met. This may be achieved by putting in place a system that includes quality control checks and regularly obtaining and reviewing the most current manufacturer's or importer's MSDS with the database version. This system may be implemented by the employer or with the assistance of the provider of the MSDS database. In any case, ultimately it is the employer's responsibility to ensure that these conditions are being met. **Generic or third party MSDS**

Generic or third party MSDS are not considered to be the manufacturer's or importer's MSDS.

Generic MSDS do not relate to a specific manufacturer's or importer's product and therefore do not contain information required under the *Occupational Health and Safety (Hazardous Substances) Regulations 1999.*

Third party MSDS are those prepared by an organisation that:

- does not have a contractual relationship with the manufacturer or importer of the hazardous substance to provide the MSDS on behalf of the manufacturer or importer; and
- does not have a contractual relationship with the employer, who is using the substance, to obtain on behalf of the employer the manufacturer's or importer's MSDS.

Third party MSDS may be based on a manufacturer's or importer's MSDS but which contain information that has been altered.

Note: Comments made in relation to MSDS are in the context of the provisions of the *Occupational Health and Safety (Hazardous Substances) Regulations 1999* and assume that any other legal requirements have been met.

Further Information

For further information contact your nearest WorkSafe office.

Note: This guidance material has been prepared using the best information available to WorkSafe Victoria. Any information about legislative obligations or responsibilities included in this material is only applicable to the circumstances described in the material. You should always check the legislation referred to in this material and make your own judgement about what action you may need to take to ensure you have complied with the law. Accordingly, the Victorian WorkCover Authority extends no warranties as to the suitability of the information for your specific circumstances.

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