

Material Safety Data Sheet Exemption

This statement will notify you that open cell backer rod manufactured or imported by Nomaco, Inc. is an "Article" under the OSHA Hazard Communication Standard and, as such, is exempt from the provisions of the standard. (Please see the explanation of the exemption below.) Safety Data Sheets are required to be furnished by suppliers under various Federal and State statutes and regulations for substances, materials or products that are deemed to be hazardous. Open cell backer rod is not deemed to be a hazardous product. We, therefore submit this statement in lieu of a Safety Data Sheet.

The Occupational Safety and Health Administration's Hazard Communication Standard requires Safety Data Sheets be furnished for substances, materials or products which are deemed to be hazardous products. Section 1910.1200 (b) (5) (iv) of the standard exempts "Articles." According to the definitions and interpretations in Part C of the above reference, an "Article" means a manufactured item:

- I. Which is formed to a specific shape or design during manufacture,
- II. Which has end use function(s) dependent in whole or part upon its shape or design during end use; and
- III. Which does not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use.

All open cell backer rod manufactured or imported by Nomaco, Inc. are formed to specific shapes or design during manufacture; have end use function(s) dependent in whole or part upon their shapes and design during end use; and do not release, or otherwise result in exposure to, a hazardous chemical under normal conditions of use. Thus, open cell backer rod manufactured or imported by Nomaco, Inc. are an "Article" as defined by the standard, and are exempt from the requirements for Safety Data Sheets.

The statement provided above is offered for all open cell backer rod manufactured or imported by Nomaco, Inc. in lieu of a Safety Data Sheet for project records required for compliance with the OSHA Hazard Communication Standard and State Right-to-Know Requirements.

Should any additional information or assistance be required, please call 800.345.7279 and ask for the Technical Services Department.