



The material in question is an “article” as defined by the United States Department of Labor, Occupational Safety and Health Administration (OSHA) and is a “manufactured article” as defined by the Canadian Hazardous Products Act (R.S.C., 1985, c. H-3) and as such is exempt from the requirement for creation of a SDS.

US Federal OSHA defines an “article” as follows at 29 CFR 1910.1200 (c):

*Article* means 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 (iii) 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.

The Canadian Federal Hazardous Products Act defines a “manufactured article” as follows at Part II Controlled Products, Interpretation, Definitions, paragraph 11(1):

“manufactured article” means any article that is formed to a specific shape or design during manufacture, the intended use of which when in that form is dependent in whole or in part on its shape or design, and that, under normal conditions of use, will not release or otherwise cause a person to be exposed to a controlled product; EU REACH similarly defines an article as follows per Article 3(3) of the REACH Regulation. 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;

The Goods are not a Substance or Mixture that:

- Meets the criteria for classification as hazardous in accordance with Regulation (EC) 1272/2008
- Meets the criteria for classification as dangerous in accordance with Directive 1999/45/EC
- Is Persistent, Bioaccumulative, or Toxic (PBT), Very Persistent or Very Bioaccumulative (vPvB),
- Is subject to authorization
- Contains >0.1% of a substance that poses a human health or environmental hazard
- Contains >0.1% of a substance that is PBT or vPvB or subject to authorization
- Contains a substance for which there are Community workplace exposure limits

The item 629 and 640 provided does not have an intended release in the application or use of the product. Any product which meets the definition of an “article” (OSHA and EU) or a “manufactured article” (CFHPA) is exempt from the requirement to provide a SDS.