

Workplace Safety^a

Making safety policies part of the workplace culture

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In recent years the controversy surrounding the use of chemicals like diacetyl has brought a heightened scrutiny to workplace safety practices in the flavor industry. One result was the publication of various guidance documents to address the subject from organizations such as National Institute for Occupational Safety and Health (NIOSH; www.cdc.gov/NIOSH/) and governmental agencies such as the Occupational Safety and Health Administration (OSHA; www.osha.gov).

Numerous trade associations, such as the Flavor and Extract Manufacturers Association (FEMA; www.femaflavor.org) and International Fragrance Association (IFRA; www.ifraorg.org), have also issued guidance documents about workplace safety. Many of these recommendations apply across the board and not just to the use and handling of a specific chemical. However, once these policies are implemented, it is equally important that they be followed on a daily basis. In effect, these policies have to become part of the workplace culture. Otherwise, failing to ensure these processes and procedures are adhered to on a day to day basis will unfortunately defeat the very purpose for which they were created. The following are a series of general recommendations that should be part of any workplace safety program:

1. **Engineering controls:** Engineering controls are considered one of the primary means to minimize workplace exposure to potentially hazardous chemicals. This includes the use of a closed production system, improvements to ventilation, isolating areas where chemicals and other ingredients are openly handled, personal ventilation and respiratory equipment, and temperature controls.
2. **Employee and worker education:** Maintaining employee awareness of hazardous exposures in the production process is a vital element of any health

and safety program. Workers need to be informed and updated about materials that may contain flavoring agents and any potential hazards. Employees need to be given general information and specific hazard warnings for workplace postings, proper container labeling, access to and availability of material safety data sheets, and updated training. It is incumbent upon employers to make sure that this information is updated regularly and that access to it is made, and in fact encouraged.

Workers need to be trained about the various means available in the workplace to limit or eliminate exposure, not only for themselves but for their fellow workers.

3. **Administrative controls:**

These come down to the basics at any workplace. It extends beyond just making sure that material safety data sheets are openly and easily available to employees. It includes enforcing safe work practices to limit the release of chemicals and dust into the workplace, maintaining appropriate seals on containers with unused or residual amounts of ingre-

dients, good housekeeping practices, establishing and following all standard protocols for cleaning the workplace, mixing tanks and other containers, and restricting access to areas where ingredients are openly handled so that only essential workers who are wearing the appropriate level of personal protective equipment are entering or working in these areas.

4. **Substitution:** NIOSH defines this as substituting a less hazardous material in order to reduce a potential workplace hazard. However, substitution does not always represent a feasible approach in manufacturing a certain product or could actually result in the substitution of a more hazardous material. Accordingly, this requires careful evaluation by a manufacturer before electing to pursue this route.

5. **Personal protective equipment:** The use of proper respiratory protection, as well as skin and eye protection, is an essential part of workplace safety. It is important for companies to enforce the use of chemical resistant gloves and proper fitting eyewear and respiratory gear for workers with potential exposure in the



^aThe contents of this article are not meant to provide specific legal advice with respect to any specific matter and should not be acted upon without professional counsel; discuss these and other safety issues on the *Perfumer & Flavorist* (P&F) Magazine LinkedIn forum: www.linkedin.com.

workplace. It is also crucial to establish and enforce specific guidelines about when to use such equipment for each job, based upon the knowledge of the tasks that need to be performed, the substances that are being used, and a full assessment of the potential exposures. OSHA provides detailed requirements for respiratory protection standards under existing federal regulations. OSHA regulations require that companies provide personal protective equipment whenever necessary to address hazards which are “capable of causing injury or impairment” to any body function; this includes whether the exposure is by absorption, inhalation or physical contact. Respirators that are selected for use should be certified by NIOSH in accordance with federal regulations. Respiratory equipment should be serviced on a regular basis, and employees fully trained in the proper use of this equipment. OSHA also has regulations concerning fit testing protocol for certain types of respiratory protection equipment.

Beyond these recommendations, employers also need to ensure their facility complies with the regulatory requirements at the state level. It is not uncommon for some states to have workplace safety regulations that differ from or are even more stringent than those issued by the federal government.

One of the more difficult issues that employers have to wrestle with is the monitoring of worker health. This always raises a concern as to potential liability exposure for a company that does this type of monitoring. However, before any company engages in such practice, it should carefully evaluate not only what type of monitoring program will be instituted, but how it will be maintained, as well as an evaluation of potential availability of coverage under health plans for routine physicals and other types of medical monitoring. This is separate and apart from any type of exposure monitoring that is done through regular air sampling performed in the workplace to insure the continuing effectiveness of the various types of controls aforementioned. As for workplace air monitoring, it is important that any company that is brought in is fully familiar with OSHA and NIOSH standards, is certified in air sampling, and is in a position to assess and recommend any type of additional engineering or other appropriate control measures to improve workplace safety.

Should a facility find that employees are experiencing symptoms of respiratory illness such as prolonged or work-related difficulty in breathing, shortness of breath on exertion, pursuant coughing, wheezing or chest tightness, or who are demonstrating symptoms consistent with skin rashes, nasal irritation or irritated eyes, these are all clear signals that there is a need for immediate response on the part of the facility operator.

With regard to management and employee awareness through education, it is critical that companies do more than promote a general awareness of OSHA or other applicable requirements. Formal and mandatory hazard communication and training sessions that are done on a routine basis are strongly recommended to insure that employees have the appropriate awareness

of respiratory safety issues. This is in addition to making sure that employees have quick and easy access to certain material safety data sheet information. It includes making sure that labeling of bulk products, especially those that are considered to pose a hazard in the workplace, are strictly adhered to throughout the manufacturing process. Labeling information is critical in instances where manufacturers and suppliers are not advised by their customers as to how the product is going to be utilized. This often arises because a customer is keeping information confidential to protect valuable trade secret information related to their product. There is also no guarantee that a customer may communicate to a supplier how they plan to use a certain product, but then modify their plans for the given product. The appropriate warning statements and labeling can provide a means for manufacturers to give additional information to customers to attempt to insure the safe handling and use of their product. It may be appropriate for suppliers and customers to enter into confidentiality agreements to address trade secret concerns so that the appropriate information can continue to be provided but yet done so in a manner that honors the need for the customers to protect proprietary information.

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