



Date: May 28, 2009

To: All Customers Requesting Material Safety Data Sheets for GAVIS Products

From: GAVIS Pharmaceuticals, LLC

Subject: OSHA Requirements

This correspondence has been drafted in response to numerous inquiries and requests GAVIS Pharmaceuticals receives for Material Safety Data Sheets. The Code of Federal Regulations, Title 29-Labor, §1910.1200, section (b), addresses the scope and application of an employee hazardous communication program. Subsection (6) indicates that the hazardous communication program specified previously **does not apply to**... (vii) "Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), when it is in solid final form for direct administration to the patient (e.g. tablets or pills); drugs which are packaged by the chemical manufacturer for sale to the consumer in a retail establishment (e.g. over the counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g. first aid supplies)." – *29 CFR Part 1910 (§ 1910.1000 to end) p. 455 (Revised as of July, 1996).*

All GAVIS Products are solid dosage pharmaceuticals. If absolutely necessary GAVIS may provide the Material Safety Data Sheets for the constituent compounds. These requests will be addressed on limited basis. A customer request is to be submitted in writing, specify the product, along with the primary use for the product. Material safety Data Sheet information will only be provided to **direct customers**. All requests should be submitted to GAVIS Customer Service.

Thank you.