

(1) A consumer product or foodstuff packaged for distribution to, and intended for use by, the general public. This includes any product used by an employer in the same physical form, concentration and manner as used by consumers, and to which, in the employer's knowledge, employee exposure is not significantly greater than that of the consumer in foreseeable consumer uses of the product;

(2) An article which is formed to a specific shape or design during manufacture and has end use function dependent in whole or in part upon its shape or design during end use and does not release or otherwise result in exposure to a hazardous chemical under normal conditions of use; or

(3) A hazardous chemical being transported or temporarily stored in a sealed or totally enclosed container and which is transported in accordance with requirements of the United States Department of Transportation.

(c) Except as provided in subsections (d) through (g) of this section and § 32M of this subtitle, §§ 32A through 32N of this subtitle do not apply to analytical, educational, or research and development laboratories.

(d) For analytical, educational, or research and development laboratories, an employer shall provide an education and training program which shall be designed to inform an employee of:

(1) The nature and identity of hazardous chemicals in the workplace;

(2) The appropriate work practices regarding hazardous chemicals in the workplace;

(3) The appropriate control programs regarding hazardous chemicals in the workplace;

(4) The appropriate protective measures regarding hazardous chemicals in the workplace; and

(5) Emergency procedures relating to hazardous chemicals in the workplace.

(e) For analytical, educational, or research and development laboratories, an employer shall maintain any material safety data sheets that are received with incoming shipments of hazardous chemicals and ensure that they are available to employees, designated representatives, or persons providing health care to employees.

(f) For an analytical, educational, or research and development laboratories, an employer shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.