GAWDA
GASES AND WELDING DISTRIBUTORS ASSOCIATION

SAFETY & TECHNOLOGY ORGANIZER

JUNE 2014

ENCLOSED

Safety Topic: ***CGA Subscription Program***

Please contact GAWDA's OSHA and EPA Consultant, Mike Dodd for more information.

Traffic Bulletin*: Medical Marijuana & CDL Drivers*

Please contact GAWDA's DOT and Security Consultant, Mike Dodd for more information.

Medical Gas Bulletin: ***FAQ, Medical Gas Roundtable and Micro-audit***

Please contact GAWDA Medical Gas Consultant, Tom Badstubner for more information.

GAWDA is pleased to distribute this information to: Distributor and Supplier Key Contacts and all Compliance Manual Owners. Please carefully review this mailing and be sure the information is passed to the appropriate person within your organization. Timely Safety data is a benefit of Membership in GAWDA

GASES AND WELDING DISTRIBUTORS ASSOCIATION
8669 NW 36th Street, #130, Miami, FL 33166 (877) 382-6440 Phone (305) 442-7451 Fax

CGA Subscription Program

In an effort to get the word out on a great program, I want to use this month's Safety Topic to promote the CGA Subscription Program. In a few quick words; **this is a fantastic program for our members! I think you would be nuts not to take advantage of this offer.** Here is the reason why. The free program could be potential worth several hundreds of dollars if not into the thousand dollar mark of savings depending on how many of the CGA pamphlets you need in your business.

CGA will provide free subscription access to all electronic publications, except for the *CGA Handbook of Compressed Gases* and all video items, as well as CGA member pricing for hardcopy publications, to one person per location from each GAWDA member in their Distributor and Canadian Distributor membership categories.

All this is in exchange for the GAWDA member submitting their annual OSHA 300A data to the CGA contact. Data of individual companies are held in confidence and are not shared with any person outside of CGA staff, including CGA or GAWDA members. It is only shared with your permission.

Eligibility: To participate in this program, you must be a GAWDA Distributor Member with dues current.

1. Eligible GAWDA members will complete the Registration Form and Awards Form and email them to GAWDASubscription@cganet.com.
2. Once CGA receives completed information, we will check the GAWDA member list to ensure that the requestor is a member in good standing with GAWDA. CGA Staff will then enter the information for each GAWDA subscriber into our database. Once they have been entered, the individuals will receive an email with instructions on how to proceed, along with a password to access the site.
3. With that login information, go to gawda.cganet.com.
4. Please direct any questions to:
    - Laura Brumsey
      Director of Operations & Administration
      Compressed Gas Association, Inc.
      14501 George Carter Way, Suite 103
      Chantilly, VA 20151
      703-788-2757 - phone
      703-961-1831 - fax
      lbrumsey@cganet.com

All of this is explained in more detail along with all the links to the registration form and awards program detail pages can be found at the following link:

http://gawda.org/Resources/CGA-Subscription-Program/CGA-Subscription-Program/

Please take a few minutes and sign up for this great program.

Michael Dodd

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TRAFFIC BULLETIN

June 2014

Medical Marijuana and CDL Drivers

Just in case you were wondering about DOT's position on the use of medical marijuana by drivers of commercial motor vehicles. The following is DOT's official policy. The basic answer is **No, it will not be allowed**.

DOT OFFICE OF DRUG AND ALCOHOL POLICY AND COMPLIANCE NOTICE

Recently, the Department of Justice (DOJ) issued guidelines for Federal prosecutors in states that have enacted laws authorizing the use of "medical marijuana." http://www.justice.gov/opa/documents/medical-marijuana.pdf .

We have had several inquiries about whether the DOJ advice to Federal prosecutors regarding pursuing criminal cases will have a impact upon the Department of Transportation's longstanding regulation about the use of marijuana by safety-sensitive transportation employees – pilots, school bus drivers, truck drivers, train engineers, subway operators, aircraft maintenance personnel, transit fire-armed security personnel, ship captains, and pipeline emergency response personnel, among others.

We want to make it perfectly clear that the DOJ guidelines will have no bearing on the Department of Transportation's regulated drug testing program. We will not change our regulated drug testing program based upon these guidelines to Federal prosecutors.

The Department of Transportation's Drug and Alcohol Testing Regulation – 49 CFR Part 40, at 40.151(e) – does not authorize "medical marijuana" under a state law to be a valid medical explanation for a transportation employee's positive drug test result.

That section states:

§ 40.151 What are MROs prohibited from doing as part of the verification process?
As an MRO, you are prohibited from doing the following as part of the verification process:
(e) You must not verify a test negative based on information that a physician recommended that the employee use a drug listed in Schedule I of the Controlled Substances Act. (e.g., under a state law that purports to authorize such recommendations, such as the "medical marijuana" laws that some states have adopted.)

Therefore, Medical Review Officers will not verify a drug test as negative based upon information that a physician recommended that the employee use "medical marijuana." Please note that marijuana remains a drug listed in Schedule I of the Controlled Substances Act.

It remains unacceptable for any safety-sensitive employee subject to drug testing under the Department of Transportation's drug testing regulations to use marijuana.

We want to assure the traveling public that our transportation system is the safest it can possibly be.

Jim L. Swart
Director
Office of the Secretary of Transportation
Office of Drug and Alcohol
Policy and Compliance
Department of Transportation
October 22, 2009

If you have any questions on the above policy, please contact me at:

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MEDICAL GAS BULLETIN

Medical Gas Bulletin
06/01/2014

Frequently Asked Questions

Q – What is the latest information regarding New Animal Drug Application (NADA) submissions for drug listings (June 2014)?

A – Since last month, the FDA has revised the animal drug listing procedures to reverse their prior procedures regarding Active Pharmaceutical Ingredients (API's). You may now submit your drug animal listings is exactly the same manner as your human drug listings. The only differences are that you use the NDA number for human drugs and NADA numbers for animal drugs. You also select the type of drug listing you are submitting… human or animal. See the appendix at the end of this Medial Gas Bulletin for sample screenshots for revising your drug listings.

We recommend that you review and submit your human and animal drug listings to remove the "***unapproved medical gas***" statement from your online FDA drug listings. The following resources are available on the GAWDA.ORG website:

- An 18 minute recorded teleconference about how to remove the "unapproved medical gas" statement from your online FDA drug listings: http://www.aws.org/GAWDA/audio/Medical_Gas_Update_20140131.WAV
- Handouts and sample forms for the recorded teleconference: http://www.gawda.org/uploadedFiles/Site_Framework/Home_Page/FDA_Medical_Gas_Certification_Compliance_Alert_20140131.pdf

If you have any questions about this process or would like us to re-submit your drug listings, please contact amy@asteriskllc.com.

June Medical Gas Roundtable – CGMP - How to Survive an FDA Audit

These GAWDA Medical Gas roundtables are excellent sources of CGMP training and the latest industry compliance news. On June 27, 2014, we will cover strategies to survive an FDA audit. There are some simple items you can do before, during and after an FDA audit that will contribute to a better compliance outcome. In addition, we will make available a proven template document for responding in writing to FDA investigations.

For your information, we are also conducting the following webinars in June:

- ***ISO 17025*** - ISO 17025 - Establishing Calibration Schedules
- ***Specialty Gas*** - Robust and Efficient Gas Sampling Techniques
- **Food Gas Roundtable –** the latest information about food gas regulations is reviewed – *The sample Food Gas SOPs are available for downloading during the seminar.*

If you would like to receive invitations to the training webinars, just send an email to amy@asteriskllc.com.

MEDICAL GAS BULLETIN

Micro-audit

This section of the Medical Gas Bulletin lists small steps you can take each month to improve your medical gas management system. These steps are not designed to be a full audit, but rather small steps to sample your compliance.

For this month, simply do these items:

1. **Annual Records Review –** Verify that you have looked at your records to determine if changes are needed in your medical gas program. This review can be easily completed and documented. Contact Tom if you need a form to document your annual records review.
2. **Electronic Registration and Listing –** Be sure your electronic registration and listing is correct. Print out the web pages with your information below to document your compliance:
   Facility Registration - http://www.accessdata.fda.gov/scripts/cder/drls/default.cfm
   Drug Listing - http://dailymed.nlm.nih.gov/dailymed/search.cfm

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