

## ***SAFETY & TECHNOLOGY ORGANIZER***

**JANUARY 2018**

### ***ENCLOSED***

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#### **Safety Topic: Electronic Submission of Injury and Illness Records to OSHA**

*Please contact Mike Dodd, GAWDA DOT, Security, OSHA & EPA Consultant for more information.*

#### **Traffic Bulletin: Driver Eligibility Requirements**

*Please contact Mike Dodd for more information.*

#### **Medical, Food/Beverage and Specialty Gases Bulletin**

- 1. FDA Compliance ToDo List**
- 2. GAWDA Professional Compliance Seminars - Dates**
- 3. Medical Gas Roundtable – date and topics**
- 4. Webinars: Specialty Gas & Food Gas Roundtable – dates and topics**
- 5. Micro Audit Suggestions**

*Please contact Tom Badstubner, GAWDA FDA Food, Medical and Specialty Gases Consultant, for more information.*

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*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.*



**Safety Meetings are important!**

They: get your employees actively involved  
encourage safety awareness  
help identify problems before they become accidents  
motivate employees to follow proper safety procedures

**We are happy to provide you with a monthly topic for your agenda.**

**ROUTE TO:**

- General Manager
- Safety Coordinator
- Supervisor Dept. \_\_\_\_\_
- Other \_\_\_\_\_
- Date of Meeting \_\_\_\_\_

## Electronic Submission of Injury and Illness Records to OSHA

### What must be reported?

Employers with establishments with 250 or more employees and establishments with 20 to 249 employees in certain high-risk industries must submit their 2016 300-A Summary information to OSHA. The high-risk industries are listed by NAICS code in Appendix A to Subpart E to Part 1904. **I can save you a lot of time by just saying that all our member locations that fill cylinders, requalify cylinders or sell gases or welding supplies are included in the high-risk industries. If you have a location with 20 or more employees, then you must do the electronic reporting.** The only example I can think of that would not be included would be locations that are strictly administration and that same location does not have a plant or a store on the property.

### What is my NAISC code?

Please note that if your location does multiple types of business then you pick the code that is more than the largest segment of revenue out of that location.

325120, Industrial Gas Manufacturing

423820, Industrial Supplies Merchant; Welding Supplies Wholesalers

424690, Welding Gases, Other Chemical and Allied Products Merchant Wholesalers

454390, Other Direct Selling Establishments

Note that the following OSHA-approved State Plans have not yet adopted the requirement to submit injury and illness reports electronically: CA, MD, MN, SC, UT, WA and WY.

You do the electronic reporting from the OSHA website. This link has a lot of helpful information on the program. <https://www.osha.gov/injuryreporting/index.html>

### 1904.41 Electronic submission of injury and illness records to OSHA.

(a) **Basic requirements**— (1) *Annual electronic submission of part 1904 records by establishments with 250 or more employees.* If your establishment had 250 or more employees at any time during the previous calendar year, and this part requires your establishment to keep records, then you must electronically submit information from the three recordkeeping forms that you keep under this part (OSHA Form 300A Summary of Work-Related Injuries and Illnesses, OSHA Form 300 Log of Work-Related Injuries and Illnesses, and OSHA Form 301 Injury and Illness Incident Report) to OSHA or OSHA's designee. You must submit the information once a year, no later than the date listed in paragraph (c) of this section of the year after the calendar year covered by the forms.



(a)(2) *Annual electronic submission of OSHA Form 300A Summary of Work-Related Injuries and Illnesses by establishments with 20 or more employees but fewer than 250 employees in designated industries.* If your establishment had 20 or more employees but fewer than 250 employees at any time during the previous calendar year, and your establishment is classified in an industry listed in appendix A to subpart E of this part, then you must electronically submit information from OSHA Form 300A Summary of Work-Related Injuries and Illnesses to OSHA or OSHA's designee. You must submit the information once a year, no later than the date listed in paragraph (c) of this section of the year after the calendar year covered by the form.

(a)(3) *Electronic submission of part 1904 records upon notification.* Upon notification, you must electronically submit the requested information from your part 1904 records to OSHA or OSHA's designee.

(b) **Implementation—** (1) *Does every employer have to routinely submit information from the injury and illness records to OSHA?* No, only two categories of employers must routinely submit information from their injury and illness records. First, if your establishment had 250 or more employees at any time during the previous calendar year, and this part requires your establishment to keep records, then you must submit the required Form 300A, 300, and 301 information to OSHA once a year. Second, if your establishment had 20 or more employees but fewer than 250 employees at any time during the previous calendar year, and your establishment is classified in an industry listed in appendix A to subpart E of this part, then you must submit the required Form 300A information to OSHA once a year. Employers in these two categories must submit the required information by the date listed in paragraph (c) of this section of the year after the calendar year covered by the form or forms (for example, 2017 for the 2016 forms). If you are not in either of these two categories, then you must submit information from the injury and illness records to OSHA only if OSHA notifies you to do so for an individual data collection.

(b)(2) *If I have to submit information under paragraph (a)(1) of this section, do I have to submit all of the information from the recordkeeping form?* No, you are required to submit all of the information from the form *except* the following:

(b)(2)(i) Log of Work-Related Injuries and Illnesses (OSHA Form 300): Employee name (column B).

(b)(2)(ii) Injury and Illness Incident Report (OSHA Form 301): Employee name (field 1), employee address (field 2), name of physician or other health care professional (field 6), facility name and address if treatment was given away from the worksite (field 7).

(b)(3) *Do part-time, seasonal, or temporary workers count as employees in the criteria for number of employees in paragraph (a) of this section?* Yes, each individual employed in the establishment at any time during the calendar year counts as one employee, including full-time, part-time, seasonal, and temporary workers.

(b)(4) *How will OSHA notify me that I must submit information from the injury and illness records as part of an individual data collection under paragraph (a)(3) of this section?* OSHA will notify you by mail if you will have to submit information as part of an individual data collection under paragraph (a)(3). OSHA will also announce individual data collections through publication in the *Federal Register* and the OSHA newsletter, and announcements on the OSHA Web site. If you



are an employer who must routinely submit the information, then OSHA will not notify you about your routine submittal.

*(b)(5) How often do I have to submit the information from the injury and illness records?* If you are required to submit information under paragraph (a)(1) or (2) of this section, then you must submit the information once a year, by the date listed in paragraph (c) of this section of the year after the calendar year covered by the form or forms. If you are submitting information because OSHA notified you to submit information as part of an individual data collection under paragraph (a)(3) of this section, then you must submit the information as often as specified in the notification.

*(b)(6) How do I submit the information?* You must submit the information electronically. OSHA will provide a secure Web site for the electronic submission of information. For individual data collections under paragraph (a)(3) of this section, OSHA will include the Web site's location in the notification for the data collection.

*(b)(7) Do I have to submit information if my establishment is partially exempt from keeping OSHA injury and illness records?* If you are partially exempt from keeping injury and illness records under §§1904.1 and/or 1904.2, then you do not have to routinely submit part 1904 information under paragraphs (a)(1) and (2) of this section. You will have to submit information under paragraph (a)(3) of this section if OSHA informs you in writing that it will collect injury and illness information from you. If you receive such a notification, then you must keep the injury and illness records required by this part and submit information as directed.

*(b)(8) Do I have to submit information if I am located in a State Plan State?* Yes, the requirements apply to employers located in State Plan States.

*(b)(9) May an enterprise or corporate office electronically submit part 1904 records for its establishment(s)?* Yes, if your enterprise or corporate office had ownership of or control over one or more establishments required to submit information under paragraph (a)(1) or (2) of this section, then the enterprise or corporate office may collect and electronically submit the information for the establishment(s).

**(c) Reporting dates.** (1) In 2017 and 2018, establishments required to submit under paragraph (a)(1) or (2) of this section must submit the required information according to the table in this paragraph (c)(1):

<b>Submission year</b>	<b>Establishments submitting under paragraph (a)(1) of this section must submit the required information from this form/these forms:</b>	<b>Establishments submitting under paragraph (a)(2) of this section must submit the required information from this form:</b>	<b>Submission deadline</b>
2017 (for 2016 forms)	300A	300A	December 15, 2017.
2018 (for 2017 forms)	300A, 300, 301	300A	July 1, 2018.



(c)(2) Beginning in 2019, establishments that are required to submit under paragraph (a)(1) or (2) of this section will have to submit all the required information by March 2 of the year after the calendar year covered by the form or forms (for example, by March 2, 2019, for the forms covering 2018).

**1904.46 Definitions.**

**Establishment.** An establishment is a single physical location where business is conducted or where services or industrial operations are performed. For activities where employees do not work at a single physical location, such as construction; transportation; communications, electric, gas and sanitary services; and similar operations, the establishment is represented by main or branch offices, terminals, stations, etc. that either supervise such activities or are the base from which personnel carry out these activities.

As always, if there are questions or items that I can help you with, please don't hesitate to contact me.

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# Traffic Bulletin

## Traffic Bulletin

January 2018

### Driver Eligibility Requirements

Following up on last month's Traffic Bulletin "Qualifying a New Driver", here are some suggestions to consider for driver eligibility requirements. These suggestions have some minimum requirements and some items that would possibly disqualify a driver from being considered for a driver position. **These are only suggestions and you are free to modify these to meet your local hiring environment and driver availabilities.**

#### Eligible drivers must:

- Between the ages of 21 and 65
- Have at least two years driving experience or have completed a course of instruction from a driver training school that operates equipment similar to the company
- The appropriate license for the type of vehicle to be operated and the applicable endorsements.
- A current medical examiner's certification (medical card or MVR showing current medical examination certification)
- The ability to read and write in English
- Have an acceptable driving record.

#### Acceptable Driving Record Means:

- No major violations in the last three years
- Maximum of three minor moving violations in the last 3 years
- Maximum of one at-fault accident in the last 3 years

#### Major violation is a citation that involves:

- Any drug or alcohol violation in connection with the operation of a motor vehicle
- Homicide, manslaughter or use of a motor vehicle for felonious purposes.
- Hit and run
- Reckless driving
- A speeding violation 15 MPH or more above the posted limit
- Speed contests, drag racing, or attempting to elude an officer of the law
- Driving while license is suspended or revoked
- Use of a cell phone while driving
- Failure to use a seatbelt (This is one of my personal opinion items.)



# Traffic Bulletin

## Minor violations:

- Any moving traffic citation (speeding less than 15 MPH above the posted limit, failure to stop or yield, improper lane change etc.) other than a major violation.

The following are **not** moving citations:

- Motor vehicle equipment, load or size requirements
- Improper display or failure to display license plates
- Failure to sign or display registration card

Feel free to contact me on any of these items if you have questions.

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# Medical, Food/Beverage and Specialty Gases Bulletin

01/01/2018

## FDA Compliance ToDo List

1. **Food Supplier Qualification** – Obtain a certificate of Conformance from your bulk food gas suppliers.
  - a. Assure that your bulk product meets one of the following grades:
    - i. For Carbon Dioxide –
      - FCC (Food Chemicals Codex)
      - CGA G-6.2 Commodity Specification for Carbon Dioxide QVL H or I
      - ISBT (International Society of Beverage Technologists)
    - ii. For Nitrogen –
      - FCC
      - NF (National Formulary)
      - ISBT
      - CGA G-10.1 Commodity Specification for Nitrogen QVL B
    - iii. Other gases
      1. FCC (Food Chemicals Codex)
      2. Another acknowledged food specification
  - b. Verify that your supplier is registered with the FDA for food production
  - c. Verify that your supplier is not passing food safety hazards to you
  - d. Document your food/beverage gas supplier qualification in accordance with CGA F-3 and GAWDA sample supplier qualification procedures and checklist.
  
2. **Medical Gas Supplier Qualification** – assure that your
  - a. Contract actually specifies USP/NF (Medical Gas)
  - b. Supplier is registered with the FDA and licensed in your state
  - c. Supplier has a valid NDA (New Drug Application) and NADA (New Animal Drug Application)
  - d. Assess the type of verification needed for your incoming medical gas
  - e. Document the existence of a “Quality Agreement” with your supplier
  - f. Document your medical gas supplier qualification in accordance with CGA M-7 and GAWDA sample qualification procedures and checklist.

Contact [tom@asteriskllc.com](mailto:tom@asteriskllc.com) for checklists and sample procedures to qualify your supplier in accordance with current FDA expectations.

# Medical, Food/Beverage and Specialty Gases Bulletin

## **GAWDA Professional Compliance Seminars - 2018**

**- March 20 - 22, 2018 - Ball Ground, GA (at Chart)**

**- October 16 - 18, 2018 - Aurora, IL (at Weldcoa)**

**Hold the date... more details later**

## **January Medical Gas Roundtable (26 January 2018)**

These GAWDA Medical Gas roundtables are excellent sources of CGMP training and the latest industry compliance news. In this roundtable, we will cover **21 CFR 211 Subparts A & B - Organization and Personnel**.

This presentation will include discussions about the responsibilities, authorities and procedures of the Quality Control Unit. We will also review the types of training required for operators, drivers and counter personnel.

For your information, we are also conducting the following webinars that day:

- **Specialty Gas** - Gas Chromatography Method Development
- **Food Gas Roundtable** – FSMA: introducing Part 117 & Registration - Free resources, procedures and training for your food gas compliance including the latest Food Safety Modernization Act regulations and how to comply with 21 CFR 117.

These and other webinars are available as a streaming recording at a time convenient to you. If you are unable to view the webinar live, just let us know and we will send you the link to the recording. If you would like to receive invitations to the training webinars, just send an email to [tom@asteriskllc.com](mailto:tom@asteriskllc.com).

# Medical, Food/Beverage and Specialty Gases 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. **Quality Control Unit Training** – Verify that your QCU has received CGMP training within the last year. This training should be documented. The GAWDA Medical Gas Roundtables are examples of CGMP training.
2. **Personnel Training** – Verify that your operations personnel and drivers have received documented CGMP and function specific training.

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