

**Memorandum of Understanding
between
The Occupational Safety and Health
Administration
U.S. Department of Labor
and
The Consumer Product Safety Commission**

This Memorandum of Understanding establishes a working relationship between the Occupational Safety and Health Administration, U.S. Department of Labor, and the Consumer Product Safety Commission regarding matters having, or potentially having, an effect on the activities and responsibilities of our two agencies.

I. Consumer Product Safety Commission

Under the Consumer Product Safety Act of 1972 (P.L. 92-573, 86 Stat. 1207), the objectives of the Consumer Product Safety Commission are:

1. To protect the public against unreasonable risk injury associated with consumer products;
2. To assist consumers in evaluating the comparative safety of consumer products;
3. To develop uniform safety standards for consumer products and to minimize conflicting State and local regulations; and,
4. To promote research and investigation into the causes and prevention of product-related deaths, illnesses, and injuries. In carrying out these responsibilities, Section 29(c) of the Consumer Product Safety Act provides the following authority:

"The Commission may obtain from any Federal department or agency such statistics, data, program reports, and other materials as it may deem necessary to carry out its functions under this Act. Each such department or agency may cooperate with the Commission and, to the extent permitted by law, furnish such materials to it. The Commission and the heads of other departments and agencies engaged in administering programs related to product safety shall, to the maximum extent practicable, cooperate and consult in order to insure fully coordinated efforts."

II. Occupational Safety and Health Administration, Department of Labor

The Occupational Safety and Health Act of 1970 (P.L. 91-596, 84 Stat. 651, 29 U.S.C. 651, et. seq.) established the Occupational Safety and Health Administration (OSHA) in the U.S. Department of Labor and authorizes the Secretary of Labor to promulgate and enforce standards to insure occupational safety and health. Further, in carrying out his responsibilities under this Act, the Secretary is authorized to: "Use, with the consent of any Federal agency, the services, facilities, and personnel of such agency, with or without reimbursement, and with the consent of any State or political subdivision thereof, accept and use the services, facilities, and personnel of any agency of such State or subdivision with reimbursement."

III. **Coordinating Offices**

To achieve the coordination desired by the Commission and OSHA, each agency hereby designates a coordinating office.

The coordinating office of the Commission is its Technical Liaison Division, Office of Standards Coordination and Appraisal.

The coordinating office of OSHA is the Division of Interagency Coordination and Legislative Analysis.

These offices shall serve as the point of contact and communication between the two agencies in the resolution of both technical and policy matters related to the coordination prescribed in this agreement and in the legislative mandates of the agencies, as well as any other matters in which coordination is warranted or desirable.

IV. **Coordination**

In carrying out their respective responsibilities, the Commission and OSHA will, to the extent practicable, consult and exchange information with each other through the coordinating offices established herein. Specifically, they will:

1. Coordinate programs, including the development of standards in order to avoid conflicting standards, standard setting priorities, and other issues where coordination is desirable;
2. Exchange information and report on general enforcement matters and on particular situations of common concern to each agency;
3. Make every effort to achieve uniformity of approach in long range planning by coordination;
4. Make every effort to avoid duplication of effort and achieve economy of effort by coordination;
5. Obtain legal and policy positions on statutory authority regarding the extent to which the other agency can remedy a particular condition or item that may be within the regulatory authority of both agencies;
6. Utilize communications systems available to both agencies in providing educational materials and services to the public in related safety and health areas.

V. **Period of Agreement**

This Memorandum of Understanding shall continue in effect unless modified by mutual consent of both parties or terminated by either party upon a thirty (30) day advance written notice to the other.

This Memorandum of Understanding does not preclude entering into separate agreements setting forth procedures for special programs which can be handled more efficiently and expeditiously by such special agreement.

Nothing in this agreement is intended to diminish or otherwise affect the authority of either agency to carry out its respective statutory functions.

This Memorandum of Understanding will become effective on the date of the last signature.

RICHARD O. SIMPSON
LABOR CONSUMER PRODUCT SAFETY

COMMISSION
DATE: 4/11/74

JOHN H. STENDER CHAIRMAN
ASSISTANT SECRETARY OF
OCCUPATIONAL SAFETY AND
HEALTH ADMINISTRATION
U.S. DEPARTMENT OF LABOR
DATE: 4/8/74