

Standard Interpretations

/ Applicability of the bloodborne pathogens standard to tag attachment devices in garment industries.

- **Standard Number:** 1910.1030(a) ; 1910.1030(b) ; 1910.1030(c)(2)

OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>.

August 12, 1994

MEMORANDUM FOR: FRANK STRASHEIM
REGIONAL ADMINISTRATOR

FROM: JOHN B. MILES, JR., DIRECTOR DIRECTORATE OF
COMPLIANCE PROGRAMS

SUBJECT: Label Tagging Devices

This is in response to your memo of January 24, requesting an interpretation of the applicability of the bloodborne pathogens standard to employees in the garment industry and to the frequent needlestick-like occurrences when using tag attachment guns. We apologize for the delay in this response.

The bloodborne pathogens standard addresses the broad issue of occupational exposure to blood and other potentially infectious materials and is not meant solely for employees in health care settings. Since there is no population that is risk free for human immunodeficiency virus or hepatitis B virus infectivity, any employee who has occupational exposure to blood or other potentially infectious material is included within the scope of this standard. While employees in the garment industry may not be generally considered to have occupational exposure, it is the employer's responsibility to determine which job classifications of specific tasks and procedures involve occupational exposure. The definition

of occupational exposure means "reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties."

The situation which is brought to OSHA's attention involves certain employees in the garment industry who use tag attachment guns (a device which puts the price tags onto garments); there are numerous manufacturers of these devices. The procedure used with these guns is common in the industry and occurs across the country, and employees are being stuck on a regular basis; it appears to be a recognized hazard in the industry. In other words, not only is there a potential for the employees to be stuck, there is actual exposure on an anticipated level. The issue of concern relating the bloodborne pathogen standard is that these needle guns can retain blood in the hollow needle and on the tool. The needle itself, which actually penetrates the skin, would be reasonably anticipated to involve the presence of blood or other potentially infectious material. When guns are exchanged between employees, e.g., during shift changes, the result is a potential transmission of bloodborne pathogens.

[Corrected 01/07/2009]

UNITED STATES DEPARTMENT OF LABOR

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