

Common Terms and Conditions Guide
Section 3 – Administrative Clauses

Clause Number: 3003
Effective: 10/15/2002
Page: 1 of 1

Seller Compliance With Occupational Safety & Health Act of 1970

- (a) Seller agrees to periodically review and identify any hazardous substance, within the meaning of the Occupational Safety and Health Act of 1970 (Public Law 91-596), which constitutes a deliverable item or is incorporated in an end item for delivery hereunder and to advise Buyer at least 30 days in advance of (i) any shipment requiring the warning label proposed to be affixed to any container utilized to transport the hazardous substance or (ii) the temporary storage of such substances on the premises of Seller after completion of manufacture but prior to eventual delivery. Specific approval of the proposed warning label design is a necessary prerequisite to any shipment authorization or certification for payment of completed goods purchased by Buyer.

- (b) Seller agrees to comply with the provisions of the Occupational Safety and Health Act of 1970 (P.L. 91-596) and the standards and regulations issued thereunder and certifies that all goods furnished under this contract will conform to and comply with said standards and regulations. Seller agrees to indemnify, save harmless, and defend Buyer and its directors, officers, employees, agents, successors, and assigns from and against any and all liabilities, claims, losses, damages, fines, penalties, forfeitures, and the costs and expenses incident thereto (including costs of defense, settlement, and reasonable attorney's fees) which it or they may hereafter incur, become responsible for, or pay out as a result of, or arising out of, Seller's breach of any of its duties addressed in this clause.