

Timely Safety Advice: MSDS May Not Be Enough

A well-prepared material safety data sheet (MSDS) may not be enough to protect a company facing a failure-to-warn claim, says Eric Hudson, an attorney with Butler, Snow, O'Mara, Stevens, and Cannada PLLC. Hudson advises that chemical manufacturers have all employees promote the MSDS in interactions with customers and take steps to ensure that end users are familiar with the information. "Defense counsel can always rely on the MSDS as a part of the defense in a failure-to-warn claim," he says, "but actions taken by the manufacturers before litigation is even contemplated can significantly bolster the defense."

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