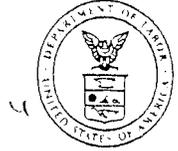


Reply to the Attention of:



FEB 28 1997

Microgen Inc.
Post Office Box 1281
West Caldwell, New Jersey 07006-1281

Dear Mr. Prince:

Thank you for your letters dated December 3, 1996 and December 10, 1996. These letters provided supplemental information related to products that have recently been registered with the EPA as an effective disinfectant against HBV and HIV, when used in accordance with the EPA approved label.

A review of the initial intent of the Bloodborne Pathogens Standard that specifically deals with the cleaning of contaminated work surfaces, i.e., 1910.1030(d) (4) (ii) (A), reveals that OSHA intended a performance-based provision that would allow for future development of "appropriate disinfectant" products. OSHA has reviewed the additional information you have provided and has reconsidered its position on EPA-registered disinfectants that are labeled as effective against HBV and HIV. OSHA's current stance is that EPA-registered disinfectants for HIV and HBV meet the requirement in the standard and are "appropriate" disinfectants to clean contaminated surfaces, provided such surfaces have not become contaminated with agent(s) or volumes of or concentrations of agent(s) for which higher level disinfection is recommended.

It is important to emphasize the EPA-approved label section titled "SPECIAL INSTRUCTIONS FOR CLEANING AND DECONTAMINATION AGAINST HIV-1 AND HBV OF SURFACES/OBJECTS SOILED WITH BLOOD/BODY FLUIDS." These instructions require: 1) personal protective devices for the worker performing the task, 2) that all the blood must be cleaned thoroughly before applying the disinfectant, 3) that the disposal of the infectious waste be in accordance with federal, state, or local regulations, and 4) that the surface is left wet with the disinfectant for 30 seconds for HIV-1 and 10 minutes for HBV.

A memorandum has been prepared for the field offices to inform them of this change in policy. A copy is attached for your information.

We thank you for your interest and patience in this matter. Should you have further questions, please call Wanda Bissell at (202) 219-8036 ext. 36.

Sincerely,

A handwritten signature in cursive script that reads "John B. Miles, Jr." The signature is written in black ink and is positioned above the typed name.

ohn B. Miles, Jr., Director
Directorate of Compliance Programs



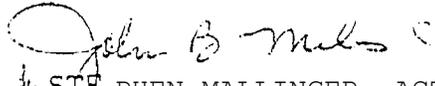
Reply to the Attention of:

FEB 28 1997

MEMORANDUM FOR: REGIONAL ADMINISTRATORS

ATTENTION: ALL BLOODBORNE COORDINATORS

FROM:


STEPHEN MALLINGER, ACTING DIRECTOR
OFFICE OF HEALTH COMPLIANCE ASSISTANCE

SUBJECT: EPA-Registered disinfectants for HIV / HBV

The National office sent a memorandum dated November 1, 1996, on the same subject matter as stated above. It concerned recent inquiries from companies who manufacture and/or supply a disinfectant product(s) approved by the EPA as a disinfectant for Human Immunodeficiency Virus (HIV) and Hepatitis B virus (HBV). These companies had asked whether EPA-registered products with the new EPA label would be an "appropriate disinfectant" under OSHA's Bloodborne Pathogens standard. The earlier memo stated the product could be used under limited conditions, where HIV and HBV were the only pathogens of concern.

Following receipt of materials offering further support for use of these products, OSHA has reconsidered the limitations in the memorandum of November 1, 1996, and has decided that the policy that requires the use of EPA-registered tuberculocidal disinfectants and/or a diluted bleach solution to decontaminate contaminated work surfaces will be expanded to include EPA-registered disinfectants that are labeled as effective against HIV and HEW, provided such surfaces have not become contaminated with agent(s) or volumes of or concentrations of agent(s) for which higher level disinfection is recommended.

As is true with all disinfectant products, the effectiveness is governed by strict adherence to the instructions on the label. For example, the EPA-approved label on one of these products has a section titled "SPECIAL INSTRUCTIONS FOR CLEANING AND DECONTAMINATION AGAINST HIV-1 AND HBV OF SURFACES/OBJECTS SOILED

WITH BLOOD/BODY FLUIDS." These instructions required: 1) personal protection devices for the worker performing the task, 2) that all blood must be cleaned thoroughly before applying the disinfectant, 3) that the disposal of the infectious waste be in accordance with federal, state, or local regulations, and 4) that the surface is left wet with the disinfectant for 30 seconds for HIV-1 and 10 minutes for HBV.

If you have further questions, please contact Wanda Bissell of my staff at (202) 219-8036 ext. 36.