



AMERICAN SOCIETY OF
SAFETY PROFESSIONALS

Connecticut Valley Chapter

SEPTEMBER

MONTHLY OBSERVANCES

National Preparedness Month

National Food Safety Month

Baby Safety Month

Child Passenger Safety

Awareness Week (22nd - 28th)

Labor Day (2nd)

9/11 Remembrance Day (11th)

Women's Health & Fitness
Day (25th)

Comments Closing

The public comment period for the proposed revision of ANSI/ISEA Z87.1, American National Standard for Occupational and Educational Personal Eye and Face Protection Devices is now open until September 30, 2019. Public review comments should be submitted to Cristine Fargo, Vice President, Operations for the International Safety Equipment Association.

To order a copy of the standard under consideration, go to International Safety Equipment Association webpage. There is \$40 charge for the public review copy.

The ABCs of CBD in the Workplace

An increasingly common series of questions employers have been asking of late relate to their employees' use of CBD. Will use of CBD products impair employees? If an employee or applicant tests positive on a drug test and blames seemingly innocuous use of CBD, what should we do? Should it be permissible to allow use of CBD products in a zero-tolerance workplace?

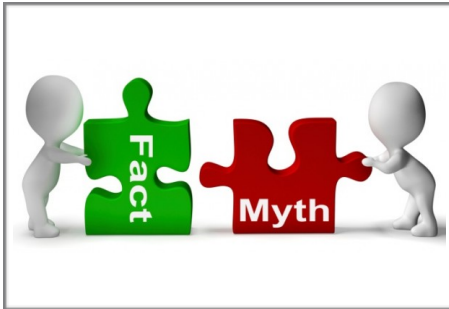
What is CBD?

Cannabidiol - or CBD - is a chemical found in marijuana and its close relative, hemp. Pure CBD does not contain tetrahydrocannabinol (THC), the psychoactive ingredient found in marijuana that produces a high.

The most common CBD formulation started as oil, but CBD is also sold as an extract, a vaporized liquid, and an oil-based capsule. CBD-infused beverages are probably the most common CBD product, but use of CBD-based cosmetic and skincare products is surging in both retail stores and online.

Currently, the only CBD product approved by the Food and Drug Administration is a prescription oil called Epidiolex, approved to treat two types of epilepsy. Aside from Epidiolex, state laws on the use of CBD vary. While CBD is being studied as a





Food Safety Myths

Myth 1: Cross contamination doesn't happen in the fridge: False.

Some bacteria can survive and even grow in cool, moist environments like the refrigerator. In fact, *Listeria Monocytogenes* grows at temperatures as low as 35.6°F

Myth 2: It's safe to watch nearby fireworks if you don't light or throw them: False. Actually, bystanders are injured by fireworks just as often as the operators.

Myth 3: If I microwave food, the microwaves kill the bacteria, so the food is safe. False. Foods can cook unevenly because they may be shaped irregularly or vary in thickness.

Myth 4: Rinsing chicken removes bacteria: False. In fact, it spreads bacteria around your sink. Save yourself the messiness and just use a thermometer to assure the middle is cooked to 165°F.

Myth 5: Once meat is brown in the middle its safe. False. Visual cues cannot determine safe food. Use a thermometer - even for a burger. Ground beef is safe at 160°F minimum.

treatment for a wide range of conditions, including Parkinson's disease, schizophrenia, diabetes, multiple sclerosis, and anxiety, research supporting the drug's benefits is still limited.

CBD And Impairment

While you should consult with your medical advisor on specific situations, you generally should not be concerned about your workers becoming impaired from CBD use. A 2015 NIH - National Institute on Drug Abuse (NIDA) paper explained why CBD should not impair employees:

Different cannabinoids can have very different biological effects; CBD, for example, does not make people high and is not intoxicating. And, there is reason to believe it may have a range of uses in medicine, including in the treatment of seizures and other neurological disorders.

A particular problem stems from the fact that your workers might not know exactly what else is in the CBD product they are using. Most CBD products are sold as supplements and are not regulated by the FDA, meaning they could also have various other substances mixed in. For example, is Delta 9-tetrahydrocannabinol (THC), the metabolite that makes one high, present? What else could be added to the mix?

A recent study of 84 CBD products bought online showed that more than a quarter of the products contained less CBD than labeled, but that THC was found in 18 products. Research published in The Journal of the American Medical Association revealed that 43 percent of CBD oils tested had more THC in them than labeled.



Positive Drug Tests

This means that one of your workers or applicants might think they are staying on the right side of the law when using a CBD product, but could inadvertently ingest substances that violate your valid drug policies. Barry Sample, the Director of Science and Technology for the drug testing laboratory Quest Diagnostics, recently observed that the government is not ensuring the level of THC remains low because CBD oil is not regulated in the United States. Therefore, he said, “if somebody is using a CBD oil that contains residual THC in it, they very likely could test positive on a urine drug test. Not because of the CBD itself – but because of a contaminant that is in that oil.”

While CBD itself would not report positive for marijuana or marijuana metabolite, if the CBD product used by your employee or applicant contains THC at a sufficiently high concentration, it is possible, depending on usage patterns, that the use of these products could cause a positive urine drug test result for marijuana metabolites. For example, in some states, CBD may contain up to 5 percent THC.

So what should you do if an applicant or employee tests positive and claims they only used CBD? Unless an employee is using the sole FDA-approved medical product, Epidiolex, a confirmed positive for THC means that the employee has probably ingested THC – even though they may have assumed that a CBD product would not result in a positive test or lead to any sort of impairment. The burden would then be on the employee to prove that they did not ingest THC, and you would need to consider how to respond to such a positive test on a case-by-case basis.

Because the FDA does not regulate CBD products other than Epidiolex, an employee has no guarantee that their supposedly pure CBD product does not contain THC. You should educate employees about this problem and explain that even if they advise you in advance that they are using a CBD product that is not supposed to impair them or create a safety threat, you will have to take action if they later test positive for THC.

Generally, it takes more of a food or drink containing THC to impair an employee or to result in a positive test, but there are no guarantees. Similarly, CBD creams, oils, and cosmetics containing THC would be less likely to result in a positive test result; the research on these products may be too sparse for an employee to risk their employment.

5 Important Takeaways:

While CBD itself should not contain amounts of THC, to test positive, the CBD supplement used by your worker may actually contain THC, which does impair workers and would violate most drug and alcohol policies.



Individually evaluate each situation of CBD use that comes to your attention. Discuss with your testing provider whether CBD will show up under the drug panel tested if no THC is present. Consult with your labor and employment counsel if you end up considering taking (or not taking) action against an employee or applicant because of CBD use.

In your drug education efforts, explain to employees that almost all CBD products are not regulated by the FDA and they have no meaningful guarantee of what's in the supplement. In other words, those using CBD products need to know they are using them at their own risk – if THC turns out to be present, they will violate employer policies.

Under a Department of Transportation-mandated interpretation, a positive test for THC will not be excused by the fact that the product was a CBD product or described as medical marijuana.

Finally, three states' courts have held that their state's medical marijuana laws require an employer to engage in an accommodation analysis of whether their medical marijuana user should be accommodated. It's not clear how CBD product use would be treated; you should consult with your employment attorney before taking action in these locations.

SUMMER READS

♦ OSHA Inspections: Preparation and Response 2nd Edition, updated. By Rick Kaletsky.

Published by the National Safety Council. Learn from a former OSHA inspector how to: Develop and implement an effective safety program that complies with OSHA standards; Proactively prepare for an inspection; and Respond in the event of a citation. An updated reference guide for the safety professional. Contact ASSP member Rick at 203-393-1233

♦ The Bookish Life of Nina Hill. By Abbi Waxman.

The only child of a single mother, Nina has her life just as she wants it: a job in a bookstore, a kick-butt trivia team, a world-class planner and a cat named Phil. If she sometimes suspects there might be more to life than reading, she just shrugs and picks up a new book.

When the father Nina never knew existed suddenly dies, leaving behind innumerable sisters, brothers, nieces, and nephews, Nina is horrified. They all live close by! They're all—or mostly all—excited to meet her! She'll have to Speak. To. Strangers. It's a disaster! And as if that wasn't enough, Tom, her trivia nemesis, has turned out to be cute, funny, and deeply interested in getting to know her. Doesn't he realize what a terrible idea that is?



CAPTION CONTEST

The object of the contest is to write the funniest “safety related” caption to accompany the Safety Photo of the Month.

Congratulations to John Murray for the winning submission: “If we hurry, the keg won’t get cold!”

Thank you for your entry and your humor.

The Photo in need of a caption for September is:



Submissions should be emailed to Laura Casey and place “Caption Contest” in the subject : casey@safeconsolutions.com

Each month one winner will be chosen from the entries. At year end, we will have a voting session to allow our membership to vote and choose the best caption of the 12. The year end winner will win a prize and bragging rights. Please submit appropriate language only. Submissions have decreased - PRIZE & BRAGGING RIGHTS!!! Join Us!



The Bottom Line - By Ed Zimmer

Another great turnout at the August meeting, thanks! It was a lunch and talk about guarding/amputations for \$10 in Manchester CT.

Be sure to check our website for information on upcoming meetings.

- Sept 26 we will return to Colt Mfg. in West Hartford for a Thursday evening. A strict limit of 15 attendees, so sign up soon.
- November 12/13th is the Region VIII PDC in Southbridge MA. Registration is open at <https://region8.assp.org/neapdc/>

I am exploring a December event, more info to follow. There is a January meeting set for Lego in Enfield CT.

Bottom bottom line: Visit the website to stay up to date on your Chapter.

As usual...if you have any ideas or wish to volunteer your facility to host a meeting or tour, feel free to contact myself at edzimmer.csp@gmail.com. It seems that the lunchtime Friday events get a consistent turnout, so I would like to continue that.

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