

(C) -- THE INFORMATION WITHHELD UNDER SUBSECTION (A) -- OF -- THIS SECTION -- SHALL -- BE -- PROVIDED -- TO --

(1) -- A -- PHYSICIAN -- WHO -- STATES -- IN -- WRITING -- THAT -- A PATIENT'S HEALTH PROBLEMS -- MAY -- BE -- THE -- RESULT -- OF -- OCCUPATIONAL EXPOSURE;

(2) -- A -- PHYSICIAN -- WHO -- IN -- AN -- EMERGENCY -- SITUATION REQUESTS THE INFORMATION.

(D) -- FOR ANY SUBSTANCE REGULATED BY SUBSECTION (A) -- OF -- THIS SECTION, THE MATERIAL SAFETY DATA SHEET SHALL INCLUDE --

(1) -- AN INDICATION OF WHICH CATEGORY OF INFORMATION IS BEING WITHHELD ON TRADE SECRET GROUNDS;

(2) -- THE NAME OF THE MANUFACTURER, AND

(3) -- AN EMERGENCY TELEPHONE NUMBER WHERE INFORMATION COULD BE OBTAINED UNDER SUBSECTION (C) OF THIS SECTION.

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IF INFORMATION HAS BEEN DESIGNATED A TRADE SECRET, A CHEMICAL MANUFACTURER, DISTRIBUTOR, OR EMPLOYER MAY REQUIRE AS A CONDITION OF OBTAINING INFORMATION OR ACCESS TO INFORMATION PURSUANT TO THIS SUBTITLE THAT THE PERSON OBTAINING THE INFORMATION OR ACCESS, AND ANY PERSON ON WHOSE BEHALF THE INFORMATION ACCESS WOULD BE OBTAINED, INCLUDING ANY EMPLOYEE REPRESENTATIVE, TO AGREE IN WRITING --

(1) -- NOT TO USE THE INFORMATION DESIGNATED A TRADE SECRET FOR THE PURPOSE OF COMMERCIAL GAIN, AND

(2) -- NOT TO PERMIT MISUSE OF THE INFORMATION DESIGNATED A TRADE SECRET BY A COMPETITOR OR POTENTIAL COMPETITOR OF THE CHEMICAL MANUFACTURER, DISTRIBUTOR, OR EMPLOYER.

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THIS SUBTITLE IS ENFORCEABLE IN THE SAME MANNER AND UNDER THE SAME PROVISIONS AS ARE PROVIDED FOR THE ENFORCEMENT OF THE SUBTITLE "OCCUPATIONAL SAFETY" IN SECTIONS 35 THROUGH 41 OF THIS ARTICLE.

SECTION 2. -- AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of this Act which can be given effect without the invalid provisions or application, and to this end all the provisions of this Act are declared to be severable.