

SECTION 1: Identification

1.1 GHS Product identifier

Product name Acid Fast Bacteria Stain Kit

Product number KT001

Brand Acid Fast Bacteria Stain Kit

1.2 Other means of identification

Component 1: Acid-Alcohol Solution 1% Component 2: Carbol Fuchsin Solution Component 3: Light Green Solution

1.3 Recommended use of the chemical and restrictions on use

In Vitro Diagnostic Use

1.4 Supplier's details

Name Diagnostic Biosystems Address 6616 Owens Drive Pleasanton CA 94588

USA

Telephone (888) 896-3350

email customersupport@dbiosys.com

1.5 Emergency phone number

(925) 484-3350 (9AM-6PM, Monday - Friday, Pacific Standard Time)

SECTION 2: Hazard identification

2.1 Classification of the substance or mixture

GHS classification in accordance with: OSHA (29 CFR 1910.1200)

- Acute toxicity, inhalation (chapter 3.1), Cat. 5
- Germ cell mutagenicity (C.4.8), Cat. 2
- Skin corrosion/irritation (C.4.4), Cat. 2
- Specific target organ toxicity (repeated exposure) (C.4.12), Cat. 2
- Specific target organ toxicity (single exposure) (C.4.11), Cat. 3

2.2 GHS label elements, including precautionary statements

Pictogram



1. Exclamation mark; 2. Health hazard

Signal word Warning

Hazard statement(s)

H315 Causes skin irritation

H317 May cause an allergic skin reaction

H332 Harmful if inhaled

H335 May cause respiratory irritation
H336 May cause drowsiness or dizziness
H341 Suspected of causing genetic defects

H373 May cause damage to organs through prolonged or repeated exposure

Precautionary statement(s)

P201 Obtain special instructions before use.

P202 Do not handle until all safety precautions have been read and understood.

P260 Do not breathe dust/fume/gas/mist/vapors/spray.
P261 Avoid breathing dust/fume/gas/mist/vapors/spray.

P264 Wash hands thoroughly after handling.
P271 Use only outdoors or in a well-ventilated area.

P272 Contaminated work clothing must not be allowed out of the workplace.

P280 Wear protective gloves/protective clothing/eye protection/face protection.

P302+P352 IF ON SKIN: Wash with plenty of water.

P304+P340 IF INHALED: Remove person to fresh air and keep comfortable for breathing.

P308+P313 IF exposed or concerned: Get medical advice/attention.

P314 Get medical advice/attention if you feel unwell.
P332+P313 If skin irritation occurs: Get medical advice/attention.
P362+P364 Take off contaminated clothing and wash it before reuse.
P403+P233 Store in a well-ventilated place. Keep container tightly closed.

P405 Store locked up.

P501 Dispose of contents/container to a licensed disposal company.

SECTION 3: Composition/information on ingredients

3.2 Mixtures

Component 1. Acid-Alcohol

1. Alcohol

Concentration 65 % (volume)

Other names / synonyms ABSOLUTE ETHANOL; ALCOHOL DEHYDRATED; ALCOHOL,

ANHYDROUS; Alcoholum / ethanolum; ALGRAIN; ANHYDROL; COLOGNE SPIRIT; COLOGNE SPIRITS (ALCOHOL); Ethanol; ETHANOL 200 PROOF;

ETHANOL SOLUTION; ETHYL ALCOHOL; ETHYL ALCOHOL

ANHYDROUS; ETHYL HYDRATE; ETHYL HYDROXIDE; FERMENTATION ALCOHOL; GRAIN ALCOHOL; JAYSOL; JAYSOL S; METHYLCARBINOL; MOLASSES ALCOHOL; NCI-C03134; POTATO ALCOHOL; SD ALCOHOL

23-HYDROGEN; SPIRIT; SPIRITS OF WINE; TECSOL; UN 1170

EC no. 200-578-6

CAS no. 64-17-5 Index no. 603-002-00-5

- Flammable liquids (chapter 2.6), Cat. 2

H225 Highly flammable liquid and vapor

2. Isopropyl alcohol

Concentration 5 % (volume)

Other names / synonyms 2-HYDROXYPROPANE; 2-Propanol; 2-PROPYL ALCOHOL; ALCOJEL;

ALCOSOLVE; ALCOSOLVE 2; AVANTIN; AVANTINE; CHROMAR; COMBI-

SCHUTZ; DIMETHYLCARBINOL; HARTOSOL; IMSOL A; ISOHOL;

Isopropanol; LUTOSOL; N-PROPAN-2-OL; PETROHOL; PRO; PROPAN-2-OL; Propan-2-ol, isopropanol; PROPOL; reaction mass of: bis(1S,2S,4S)-(1-benzyl-4-tert-butoxycarboxamido-2-hydroxy-5-phenyl)pentylammonium succinate; SEC-PROPYL ALCOHOL; SPECTRAR; STERISOL HAND

DISINFECTANT; TAKINEOCOL; UN 1219

EC no. 414-810-0 CAS no. 67-63-0 Index no. 607-403-00-6

- Flammable liquids (chapter 2.6), Cat. 2 - Eye damage/irritation (chapter 3.3), Cat. 2

- Specific target organ toxicity, single exposure (chapter 3.8), Cat. 3

- Specific target organ toxicity, repeated exposure (chapter 3.9), Cat. 2

- Eye damage/irritation (chapter 3.3), Cat. 1

- Hazardous to the aquatic environment, short-term (acute) (chapter 4.1), Cat. 1

- Hazardous to the aquatic environment, long-term (chronic) (chapter 4.1), Cat. 1

H225 Highly flammable liquid and vapor
H318 Causes serious eye damage
H319 Causes serious eye irritation
H335 May cause respiratory irritation
H336 May cause drowsiness or dizziness

H373 May cause damage to organs through prolonged or repeated exposure

H400 Very toxic to aquatic life

H410 Very toxic to aquatic life with long lasting effects

3. Hydrochloric acid

Concentration 1 % (volume)

Other names / synonyms Acidum hydrochloricum; hydrogen chloride; HYDROGEN CHLORIDE (gas)

EC no. 231-595-7 CAS no. 7647-01-0 Index no. 017-002-01-X

- Skin corrosion/irritation (chapter 3.2), Cat. 1

- Eye damage/irritation (chapter 3.3), Cat. 1

- Acute toxicity, inhalation (chapter 3.1), Cat. 3

H314 Causes severe skin burns and eye damage

H318 Causes serious eye damage

H331 Toxic if inhaled

SCLs/M-factors/ATEs Skin Corr. 1B; H314: C ≥ 25 %

Skin Irrit. 2; H315: 10 $\% \le C < 25 \%$ Eye Irrit. 2; H319: 10 $\% \le C < 25 \%$

STOT SE 3; H335: C ≥ 10 %

Component 2. Carbol Fuchsin

1. Alcohol

Concentration 10 % (volume)

Other names / synonyms ABSOLUTE ETHANOL; ALCOHOL DEHYDRATED; ALCOHOL,

ANHYDROUS; Alcoholum / ethanolum; ALGRAIN; ANHYDROL; COLOGNE SPIRIT; COLOGNE SPIRITS (ALCOHOL); Ethanol; ETHANOL 200 PROOF;

ETHANOL SOLUTION; ETHYL ALCOHOL; ETHYL ALCOHOL

ANHYDROUS; ETHYL HYDRATE; ETHYL HYDROXIDE; FERMENTATION ALCOHOL; GRAIN ALCOHOL; JAYSOL; JAYSOL S; METHYLCARBINOL; MOLASSES ALCOHOL; NCI-C03134; POTATO ALCOHOL; SD ALCOHOL

23-HYDROGEN; SPIRIT; SPIRITS OF WINE; TECSOL; UN 1170

EC no. 200-578-6 CAS no. 64-17-5 Index no. 603-002-00-5

- Flammable liquids (chapter 2.6), Cat. 2

H225 Highly flammable liquid and vapor

2. PHENOL

 Concentration
 5 % (volume)

 EC no.
 203-632-7

 CAS no.
 108-95-2

 Index no.
 604-001-00-2

- Germ cell mutagenicity (chapter 3.5), Cat. 2
- Acute toxicity, inhalation (chapter 3.1), Cat. 3
- Acute toxicity, dermal (chapter 3.1), Cat. 3
- Acute toxicity, oral (chapter 3.1), Cat. 3
- Specific target organ toxicity, repeated exposure (chapter 3.9), Cat. 2
- Skin corrosion/irritation (chapter 3.2), Cat. 1B

H301 Toxic if swallowed
H311 Toxic in contact with skin

H314 Causes severe skin burns and eye damage

H331 Toxic if inhaled

H341 Suspected of causing genetic defects

H373 May cause damage to organs through prolonged or repeated exposure

SCLs/M-factors/ATEs

Skin Corr. 1B; H314: $C \ge 3 \%$ Skin Irrit. 2; H315: $1 \% \le C < 3 \%$ Eye Irrit. 2; H319: $1 \% \le C < 3 \%$

3. Ci 42510

Concentration 0.5% (weight)

Other names / synonyms (4-(4-Aminophenyl)(4-iminocyclohexa-2,5-dienylidene)methyl)-2-

methylaniline hydrochloride; Benzenamine, 4-((4-aminophenyl)(4-imino-2,5-

cyclohexadien-1-ylidene)methyl)-2-methyl-, hydrochloride (1:1); Benzenamine, 4-[(4-aminophenyl)(4-imino-2,5-cyclohexadien-1-

ylidene)methyl]-2-methyl-, monohydrochloride; C.I. BASIC VIOLET 14;

Fuchsin

CAS no. 632-99-5

Component 3. Light Green Solution

1. LIGHT GREEN SF, YELLOWISH

Concentration 0.5 % (weight)

Other names / synonyms Benzenemethanaminium, N-ethyl-N-[4-[[4-[ethyl](3-

sulfophenyl)methyl]amino]phenyl](4-sulfophenyl)methylene]-2,5-

cyclohexadien-1-ylidene]-3-sulfo-, hydroxide, inner salt, disodium salt;

CAS no. 5141-20-8

SECTION 4: First-aid measures

4.1 Description of necessary first-aid measures

General advice Consult a physician. Show this safety data sheet to the doctor in attendance.

If breathed in, move person into fresh air. If not breathing, give artificial

respiration.

Do NOT induce vomiting. Never give anything by mouth to an unconscious

person. Rinse mouth with water. Consult a physician.

In case of skin contact Rinse with plenty of water. Get medical attention if irritation develops and

persists.

In case of eye contact Rinse thoroughly with plenty of water for at least 15 minutes. Get medical

attention if symptoms occur.

If swallowed Call a poison center or doctor if you feel unwell. If vomiting occurs naturally,

have victim lean forward to reduce the risk of aspiration. Do NOT induce vomiting unless directed to do so by medical personnel. Never give anything

by mouth to an unconscious person.

Acute and delayed symptoms and effects: May cause gastrointestinal irritation. Signs/symptoms may include abdominal pain, stomach upset,

nausea, vomiting and diarrhea.

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Personal protective equipment for first-aid responders

Ensure adequate ventilation. Use personal protective equipment. For personal protection see section 8.

4.2 Most important symptoms/effects, acute and delayed

The most important known symptoms and effects are described in the labelling (see section 2.2) and/or in section 11

4.3 Indication of immediate medical attention and special treatment needed, if necessary

No data available

SECTION 5: Fire-fighting measures

5.1 Suitable extinguishing media

Use extinguishing media appropriate for surrounding fire.

5.2 Specific hazards arising from the chemical

Ethanol: Carbon oxides

5.3 Special protective actions for fire-fighters

Wear self-contained breathing apparatus for firefighting if necessary.

Further information

No data available.

SECTION 6: Accidental release measures

6.1 Personal precautions, protective equipment and emergency procedures

Avoid breathing vapours, mist or gas. Ensure adequate ventilation. Remove all sources of ignition. Evacuate personnel to safe areas. Beware of vapours accumulating to form explosive concentrations. Vapours can accumulate in low areas. For personal protection see section 8.

Ensure adequate ventilation. Use personal protective equipment. For personal protection see section 8.

Use personal protective equipment. Avoid breathing vapours, mist or gas. Ensure adequate ventilation. Remove all sources of ignition. Evacuate personnel to safe areas. Beware of vapours accumulating to form explosive concentrations. Vapours can accumulate in low areas. For personal protection see section 8.

6.2 Environmental precautions

Should not be released into the environment. See Section 12 for additional ecological information.

6.3 Methods and materials for containment and cleaning up

Contain spillage, and then collect with an electrically protected vacuum cleaner or by wet-brushing and place in container for disposal according to local regulations (see section 13).

Reference to other sections

For disposal see section 13.

SECTION 7: Handling and storage

7.1 Precautions for safe handling

Avoid contact with skin and eyes. Avoid formation of dust and aerosols. Further processing of solid materials may result in the formation of combustible dusts. The potential for combustible dust formation should be taken into consideration before additional processing occurs. Provide appropriate exhaust ventilation at places where dust is formed. For precautions see section 2.2.

7.2 Conditions for safe storage, including any incompatibilities

Keep container tightly closed in a dry and well-ventilated place.

Specific end use(s)

Apart from the uses mentioned in section 1.2 no other specific uses are stipulated

SECTION 8: Exposure controls/personal protection

8.1 Control parameters

CAS: 108-95-2

Phenol

Cal/OSHA: 5 ppm PEL inhalation; NIOSH: 5 ppm, (C) 15.6 ppm [15-min] REL inhalation; OSHA: 5 ppm PEL inhalation: 19 mg/m3 PEL inhalation

CAS: 64-17-5

Alcohol

ACGIH (USA): (ST) 1000 ppm TLV® inhalation; Cal/OSHA: 1000 ppm PEL inhalation; NIOSH: 1000 ppm REL inhalation; OSHA: 1000 ppm PEL inhalation; 1900 mg/m3 PEL inhalation

CAS: 67-63-0

Isopropyl alcohol

ACGIH (USA): 200 ppm, (ST) 400 ppm TLV® inhalation; Cal/OSHA: 400 ppm, (ST) 500 ppm PEL inhalation; NIOSH: 400 ppm, (ST) 500 ppm REL inhalation; OSHA: 400 ppm PEL inhalation; 980 mg/m3 PEL inhalation

CAS: 7647-01-0

Hydrochloric acid

ACGIH: 2 ppm (C) TLV® inhalation; NIOSH: 5 ppm, 7 mg/m3 REL-C inhalation; OSHA: 5 ppm, 7 mg/m3 PEL-C inhalation

Hydrogen chloride

Cal/OSHA: (C) 5 ppm PEL inhalation; NIOSH: (C) 5 ppm REL inhalation; OSHA: (C) 5 ppm PEL inhalation; (C) 7 mg/m3 PEL inhalation

8.2 Appropriate engineering controls

Avoid contact with skin, eyes and clothing. Wash hands before breaks and immediately after handling the product.

8.3 Individual protection measures, such as personal protective equipment (PPE)

Pictograms







Eye/face protection

Use equipment for eye protection tested and approved under appropriate government standards such as NIOSH (US) or EN 166(EU).

Skin protection

Handle with gloves. Gloves must be inspected prior to use. Use proper glove removal technique (without touching glove's outer surface) to avoid skin contact with this product. Dispose of contaminated gloves after use in accordance with applicable laws and good laboratory practices. Wash and dry hands.

Body protection

Choose body protection in relation to its type, to the concentration and amount of dangerous substances, and to the specific work-place., The type of protective equipment must be selected according to the concentration and amount of the dangerous substance at the specific workplace.

Respiratory protection

Respiratory protection is not required. Where protection from nuisance levels of dusts are desired, use type N95 (US) or type P1 (EN 143) dust masks. Use respirators and components tested and approved under appropriate government standards such as NIOSH (US) or CEN (EU).

Thermal hazards

No data available

Control banding approach

No data available.

Environmental exposure controls

Prevent further leakage or spillage if safe to do so. Do not let product enter drains.

SECTION 9: Physical and chemical properties and safety characteristics

Physical state Liauid **Appearance** Clear Color **Dves** Odor Alcohol Odor threshold No data available. Ηq No data available. Melting point/freezing point No data available. Boiling point or initial boiling point and boiling range No data available. Flash point No data available. Evaporation rate No data available. Flammability No data available. Lower and upper explosion limit/flammability limit No data available. Vapor pressure No data available. Relative vapor density No data available. Density and/or relative density No data available. No data available. Solubility Partition coefficient n-octanol/water (log value) No data available. Auto-ignition temperature No data available. Decomposition temperature No data available. Kinematic viscosity No data available. Explosive properties No data available.

Particle characteristics

No data available.

Oxidizing properties

Supplemental information regarding physical hazard classes

No data available.

Further safety characteristics (supplemental)

No data available.

SECTION 10: Stability and reactivity

No data available.

10.1 Reactivity

None under normal use conditions.

10.2 Chemical stability

Stable under recommended storage conditions.

10.3 Possibility of hazardous reactions

None under normal use conditions.

10.4 Conditions to avoid

Exposure to moisture.

Avoid storing in direct sunlight and avoid extremes of temperature.

Heat, flames and sparks.

10.5 Incompatible materials

Ethanol: Alkali metals, Oxidizing agents, Peroxides

Isopropanol: Oxidizing agents, Acid anhydrides, Aluminium, Halogenated compounds, Acids

10.6 Hazardous decomposition products

Other decomposition products - No data available In the event of fire: see section 5

Isopropanol: Hazardous decomposition products formed under fire conditions. - Carbon oxides

Other decomposition products - No data available

In the event of fire: see section 5

SECTION 11: Toxicological information

Information on toxicological effects

Acute toxicity

Ethanol: ACGIH: A3 Confirmed animal carcinogen with unknown relevance to humans.

The ATE (gas inhalation) of the mixture is: 46666.67 ppmV

ETHANOL

LD50 Oral - Rat - 10,470 mg/kg

ETHANOL

LD50 Skin - Rabbit - 15,800 mg/kg

ETHANOL

LD50 Inhalation - Rat - 30,000 mg/l - 4 h

ISOPROPANOL

LD50 Oral - Rat - 5,045 mg/kg

Remarks: Behavioral:Altered sleep time (including change in righting reflex). Behavioral:Somnolence (general depressed activity).

ISOPROPANOL

LC50 Inhalation - Rat - 16000 ppm - 8 h

ISOPROPANOL

LD50 Skin - Rabbit - 12,800 mg/kg

Skin corrosion/irritation

ETHANOL

LD50 Skin - Rabbit - 15,800 mg/kg

ETHANOL

OECD Test Guideline 404 Skin - Rabbit - 24 h

Result: No skin irritation

ISOPROPANOL

LD50 Skin - Rabbit - 12,800 mg/kg

Serious eye damage/irritation

ETHANOL

OECD Test Guideline 405 Eyes - Rabbit

Result: Moderate eye irritation

Respiratory or skin sensitization

ETHANOL

LD50 Inhalation - Rat - 30,000 mg/l - 4 h

ISOPROPANOL

LC50 Inhalation - Rat - 16000 ppm - 8 h

Germ cell mutagenicity

Based on available data, classification data are not met

Carcinogenicity

ISOPROPANOL

This product is or contains a component that is not classifiable as to its carcinogenicity based on its IARC, ACGIH, NTP, or EPA classification.

IARC: No component of this product present at levels greater than or equal to 0.1% is identified as probable, possible or confirmed human carcinogen by IARC.

NTP: No component of this product present at levels greater than or equal to 0.1% is identified as a known or anticipated carcinogen by NTP.

OSHA: No component of this product present at levels greater than or equal to 0.1% is identified as a carcinogen or potential carcinogen by OSHA.

Reproductive toxicity

Based on available data, classification data are not met

STOT-single exposure

No data available.

STOT-repeated exposure

No data available.

Aspiration hazard

No data available.

Additional information

No data available.

SECTION 12: Ecological information

Toxicity

ETHANOL

EC50 - Chlorella vulgaris (Fresh water algae) - 275 mg/l - 72 h

FTHANOL

LC50 - Pimephales promelas (fathead minnow) - 14,200 mg/l - 96 h

ETHANOL

LC50 - Ceriodaphnia dubia (water flea) - 5,012 mg/l - 48 h

ISOPROPANOL

LC50 - Pimephales promelas (fathead minnow) - 9,640.00 mg/l - 96 h

ISOPROPANOL

EC50 - Daphnia magna (water flea) - 5,102.00 mg/l - 24 h

ISOPROPANOL

EC50 - Daphnia magna (water flea) - 6,851 mg/l - 24 h

ISOPROPANOL

EC50 - Desmodesmus subspicatus (chodat) - > 2,000.00 mg/l - 72 h

ISOPROPANOL

EC50 - Algae - > 1,000.00 mg/l - 24 h

Persistence and degradability

No data available.

Bioaccumulative potential

No data available.

Mobility in soil

No data available.

Results of PBT and vPvB assessment

PBT/vPvB assessment not available as chemical safety assessment not required/not conducted

Endocrine disrupting properties

No data available.

Other adverse effects

No data available.

SECTION 13: Disposal considerations

Disposal methods

Product disposal

Offer surplus and non-recyclable solutions to a licensed disposal company.

Packaging disposal

Dispose of as unused product.

Waste treatment

No data available

Sewage disposal

Do not let product enter drains

Other disposal recommendations

Dispose of contents/ container in accordance with the local/regional/national/international regulations.

SECTION 14: Transport information

DOT (US)

UN Number: UN1987

Class: 3

Packing Group: I

Proper Shipping Name: Alcohols, n.o.s.

Reportable quantity (RQ):

Marine pollutant:

Poison inhalation hazard:

IMDG

UN Number: UN1987

Class: 3

Packing Group: I EMS Number:

Proper Shipping Name: Alcohols, n.o.s.

IATA

UN Number: UN1987

Class: 3

Packing Group: I

Proper Shipping Name: Alcohols, n.o.s.

SECTION 15: Regulatory information

15.1 Safety, health and environmental regulations specific for the product in question

California Prop. 65 Components

WARNING! This product contains a chemical known to the State of California to cause cancer.

CAS-No. 64-17-5: Ethanol

WARNING: This product contains a chemical known to the State of California to cause birth defects or other reproductive harm.

CAS-No. 64-17-5: Ethanol

This product does not contain any chemicals known to State of California to cause cancer, birth defects, or any other reproductive harm.

Canadian Domestic Substances List (DSL)

Chemical name: Ethanol

CAS: 64-17-5

Chemical name: 2-Propanol

CAS: 67-63-0

Chemical name: Hydrochloric acid

CAS: 7647-01-0

Chemical name: Phenol

CAS: 108-95-2

Chemical name: Benzenamine, 4-[(4-aminophenyl)(4-imino-2,5-cyclohexadien-1-ylidene)methyl]-2-methyl-,

monohydrochloride CAS: 632-99-5

Chemical name: Water

CAS: 7732-18-5

Chemical name: Benzenemethanaminium, N-ethyl-N-[4-[[4-[ethyl[(3-sulfophenyl)methyl]amino]phenyl](4-

sulfophenyl)methylene]-2,5-cyclohexadien-1-ylidene]-3-sulfo-, hydroxide, inner salt, disodium salt

CAS: 5141-20-8

Massachusetts Right To Know Components

Chemical name: Ethanol CAS number: 64-17-5

Isopropyl alcohol CAS number: 67-63-0

Chemical name: Hydrochloric acid

CAS number: 7647-01-0

Chemical name: Phenol CAS number: 108-95-2

No components are subject to the Massachusetts Right to Know Act.

New Jersey Right To Know Components

Common name: ETHYL ALCOHOL

CAS number: 64-17-5

Isopropyl alcohol CAS number: 67-63-0

Common name: HYDROGEN CHLORIDE

CAS number: 7647-01-0

Common name: PHENOL CAS number: 108-95-2

Water

CAS-No. 7732-18-5

Common name: C.I. ACID GREEN 5

CAS number: 5141-20-8

Pennsylvania Right To Know Components

Chemical name: Ethanol CAS number: 64-17-5

Isopropyl alcohol CAS number: 67-63-0

Chemical name: Hydrochloric acid

CAS number: 7647-01-0

Chemical name: Phenol CAS number: 108-95-2

Water

CAS-No. 7732-18-5

SARA 302 Components

No chemicals in this material are subject to the reporting requirements of SARA Title III, Section 302.

SARA 311/312 Hazards

Fire Hazard, Acute Health Hazard, Chronic Health Hazard

No SARA Hazards

SARA 313 Components

The following components are subject to reporting levels established by SARA Title III, Section 313:

Isopropyl alcohol CAS number: 67-63-0

This material does not contain any chemical components with known CAS numbers that exceed the threshold (De Minimis) reporting levels established by SARA Title III, Section 313.

15.2 Chemical Safety Assessment

The supplier of this product has not conducted any Chemical Safety Assessment

HMIS Rating



SECTION 16: Other information

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16.1 Further information/disclaimer

DISCLAIMER: The information above is believed to be accurate and represents the best information currently available to us. However, we make no warranty of merchantability or any other warranty, express or implied, with respect to such information, and we assume no liability resulting from its use. Users should make their own investigation to determine the suitability of information for their particular purposes. In no event shall Diagnostic BioSystems be liable for any claims, losses, or damages of any third party or for lost profits or any special, indirect, incidental, consequential or exemplary damages, whatsoever arising, even if Diagnostic BioSystems has been advised of the possibility of such damages.