

Material Safety Data Sheet

SECTION 1 PRODUCT AND COMPANY IDENTIFICATION

MARLEX® and MARFLEX® Polyethylenes (All Grades except CL, L and Masterbatch Series)

Product Use: Extrusion and Compounding, Film and Coatings, Molded Articles, Plastic Molding

Compound, Resin Synonyms: Plastic

Product Names: HiD, mPact, Vytek, Dynex, LX, ER, TD and DS Series; Marlex® BHn, BMN, DTR, DTR-F, EHM, HHM, HHN, HMN, HXM, HXB, B, C, D, H, J, K, PE, HP, HP132; YYY and YYY-F (where Y

is a number from 1 to 10) Series. **Product CAS No.:** Mixture

Company Identification:

Chevron Phillips Chemical Company LP 10001 Six Pines Drive The Woodlands, TX 77380 **Product Information:**

MSDS Requests: 1 - (800) 852-5530 Technical Information: 1 - (800) 852-5531 Responsible Party: Product Safety Group Email:msds@cpchem.com

Chevron Phillips Chemicals International N.V. Brusselsesteenweg 355 B-3090 Overijse

Belgium

24-Hour Emergency Telephone Numbers:

HEALTH:Chevron Phillips Emergency Information Center 866.442.9628 (North America) and

1.832.813.4984 (International) TRANSPORTATION: North

North America: CHEMTREC 800.424.9300 or 703.527.3887

ASIA: +1.703.527.3887

EUROPE: BIG .32.14.584545 (phone) or .32.14.583516 (telefax) SOUTH AMERICA SOS-Cotec Inside Brazil: 0800.111.767

Outside Brazil: 55.19.3467.1600

MEDICAL APPLICATION CAUTION: Do not use this Chevron Phillips Chemical Company LP material in medical applications involving permanent implantation in the human body or permanent contact with internal body fluids or tissues.

Revision Number: 11.00

Revision Date: 10/29/2009

Page: 1 of 9

MARLEX® and MARFLEX®
Polyethylenes (All Grades except CL,

L and Masterbatch Series)

Do not use this Chevron Phillips Chemical Company LP material in medical applications involving brief or temporary implantation in the human body or contact with internal body fluids or tissues unless the material has been provided directly from Chevron Phillips Chemical Company LP under an agreement which expressly acknowledges the contemplated use.

Chevron Phillips Chemical Company LP makes no representation, promise, express warranty or implied warranty concerning the suitability of this material for use in implantation in the human body or in contact with internal body fluids or tissues.

SECTION 2 HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW

Opaque, translucent waxy pellets or fluff, mild odor.

NFPA RATINGS:

Health: 1

Flammability: 1

Reactivity: 0

GHS Classification and Labeling: Signal Word: NA - Not Applicable

EU Classification: Safety Phrases:

S22: Do not breathe dust.

IMMEDIATE HEALTH EFFECTS:

Eye: If this material is heated, thermal burns may result from eye contact. Contact with the eyes may cause irritation due to the abrasive action of the dust. Not expected to cause prolonged or significant eye irritation. Material is dusty and may scratch the surface of the eye.

Skin: Thermal burns to the skin: may include pain or feeling of heat, discoloration, swelling, and blistering. If this material is heated, thermal burns may result from skin contact. Contact with the skin is not expected to cause prolonged or significant irritation. Contact with the skin is not expected to cause an allergic skin response. Not expected to be harmful to internal organs if absorbed through the skin. **Ingestion:** Not expected to be harmful if swallowed.

Inhalation: The dust from this material may cause respiratory irritation. If this material is heated, fumes may be unpleasant and produce nausea and irritation of the upper respiratory tract.

SECTION 3 COMPOSITION/INFORMATION ON INGREDIENTS

| COMPONENT | CAS NUMBER | AMOUNT | EINECS / ELINCS | SYM | R-Phrases | |
|----------------------------------|---------------|----------------|--------------------|-----|-----------|--|
| Polyethylene | 9002-88-4 | < 100 % weight | EXEMPT | NA | NA | |
| Polyethylene Hexene Copolymer | 25213-02-9 | < 100 % weight | EXEMPT | NA | NA | |
| Additives | Various | < 4 % weight | NA | NA | NA | |

Occupational Exposure Limits:

| Component | Limit | TWA | STEL | Ceiling / Peak | Notation |
|----------------------------------|------------|--------------------|------|----------------|----------|
| Polyethylene | ACGIH | 3 mg/m3 | NA | NA | NA |
| Polyethylene | German MAK | 6 mg/m3 | NA | NA | NA |
| Polyethylene Hexene Copolymer | ACGIH | Not Established | NA | NA | NA |

Revision Number: 11.00 Revision Date: 10/29/2009 Page: 2 of 9

MARLEX® and MARFLEX®
Polyethylenes (All Grades except CL,
L and Masterbatch Series)

Control as Particulate Not Otherwise Classified (PNOC). The ACGIH Guideline* for respirable dust is 3.0 mg/m3 and 10.0 mg/m3 for total dust. The OSHA PEL for respirable dust is 5.0 mg/m3 and 15.0 mg/m3 for total dust.

* This value is for inhalable (total) particulate matter containing no asbestos and < 1.0% crystalline silica.

SECTION 4 FIRST AID MEASURES

Eye: Flush eyes with running water immediately while holding the eyelids open. Remove contact lenses, if worn, after initial flushing, and continue flushing for at least 15 minutes. Get immediate medical attention. If heated material should splash into eyes, flush eyes immediately with fresh water for 15 minutes while holding the eyelids open. Remove contact lenses, if worn. Get immediate medical attention.

Skin: To remove the material from skin, use soap and water. Discard contaminated clothing and shoes or thoroughly clean before reuse. Get medical attention if any symptoms develop. If the hot material gets on skin, quickly cool in water. See a doctor for extensive burns. Do not try to peel the solidified material from the skin or use solvents or thinners to dissolve it. The use of vegetable oil, mineral oil, or petroleum jelly is recommended for removal of this material from the skin.

Ingestion: If swallowed, do not induce vomiting. Give the person a glass of water or milk to drink and get immediate medical attention. Never give anything by mouth to an unconscious person.

Inhalation: Move the exposed person to fresh air. If not breathing, give artificial respiration. If breathing is difficult, give oxygen. Get medical attention if breathing difficulties continue.

SECTION 5 FIRE FIGHTING MEASURES

Explosive dust clouds may be produced.

FIRE CLASSIFICATION:

OSHA Classification (29 CFR 1910.1200): Not classified by OSHA as flammable or combustible.

NFPA RATINGS: Health: 1 Flammability: 1 Reactivity: 0

FLAMMABLE PROPERTIES: Flashpoint: 340°C (644°F) Autoignition: 380°C (716°F)

Flammability (Explosive) Limits (% by volume in air): Lower: NA Upper: NA

EXTINGUISHING MEDIA: Use water fog, foam, dry chemical or carbon dioxide (CO2) to extinguish flames.

PROTECTION OF FIRE FIGHTERS:

Fire Fighting Instructions: If possible, water should be applied as a spray from a fogging nozzle since this is a surface burning material. The application of high velocity water will spread the burning surface layer. This material will burn although it is not easily ignited. For fires involving this material, do not enter any enclosed or confined fire space without proper protective equipment, including self-contained breathing apparatus.

Combustion Products: Incomplete combustion can also produce formaldehyde. Normal combustion forms carbon dioxide, water vapor and may produce carbon monoxide, original monomer, other hydrocarbons and hydrocarbon oxidation products, depending on temperature and air availability.

SECTION 6 ACCIDENTAL RELEASE MEASURES

Protective Measures: Eliminate all sources of ignition in vicinity of spilled material. Wear appropriate personal protective equipment when cleaning up spills. Refer to Section 8. **Spill Management:** Refer to OSHA Standard 29 CFR 1910.1026(j) Chromium (VI) Cleaning Methods for

Spill Management: Refer to OSHA Standard 29 CFR 1910.1026(j) Chromium (VI) Cleaning Methods for proper methods of cleaning. Reduce airborne dust and prevent scattering by moistening with water.

Revision Number: 11.00 Revision Date: 10/29/2009 Page: 3 of 9 MARLEX® and MARFLEX®
Polyethylenes (All Grades except CL,
L and Masterbatch Series)
MSDS: 240370

Stop the source of the release if you can do it without risk. Contain release to prevent further contamination of soil, surface water or groundwater. Clean up spill as soon as possible, observing precautions in Exposure Controls/Personal Protection. Use appropriate techniques such as applying non-combustible sorbent materials or pumping. Where feasible and appropriate, remove contaminated soil. Place contaminated materials in disposable containers and dispose of in a manner consistent with applicable regulations. If heated material is spilled, allow it to cool before proceeding with disposal methods. Avoid creating dust clouds. Shovel, sweep up or use industrial vacuum cleaner to pick up. Place in container for proper disposal.

Reporting: U.S.A. regulations may require reporting spills of this material that could reach any surface waters. Report spills to local authorities and/or the National Response Center at (800) 424-8802 as appropriate or required.

SECTION 7 HANDLING AND STORAGE

READ AND OBSERVE ALL PRECAUTIONS ON PRODUCT LABEL. REFER TO PRODUCT LABEL OR MANUFACTURERS TECHNICAL BULLETINS FOR THE PROPER USE AND HANDLING OF THIS MATERIAL.

Precautionary Measures: Use caution to avoid creation of dusts and to prevent inhalation of product dust (fines). Avoid contact with product dust. Airborne dust concentrations above 20 mg/L may create a dust explosion hazard. Keep out of water sources and sewers. Spilled pellets may create a slipping hazard. Avoid breathing vapors or fumes which may be released during thermal processing. Do not breathe dust at levels above the recommended exposure limits. Avoid breathing material. Keep container closed. Use only with adequate ventilation. Avoid contact with eyes, skin and clothing. Discard contaminated clothing and shoes or thoroughly clean before reuse. Avoid contact of heated material with eyes, skin, and clothing. Do not breathe dust. Avoid contaminating soil or releasing this material into sewage and drainage systems and bodies of water.

Unusual Handling Hazards: Potentially toxic/irritating fumes may be evolved from heated material. At temperatures (>350°F, >177°C), polyethylenes can release vapors and gases, which are irritating to the mucous membranes of the eyes, mouth, throat, and lungs. These substances may include acetaldehyde, acetone, acetic acid, formic acid, formaldehyde and acrolein. Based on animal data and limited epidemiological evidence, NTP, IARC (2A), and OSHA have listed formaldehyde as a probable human carcinogen. Following all recommendations within this MSDS should minimize exposure to thermal processing emissions.

Static Hazard: Electrostatic charge may accumulate and create a hazardous condition when handling this material. To minimize this hazard, bonding and grounding may be necessary but may not, by themselves, be sufficient. Review all operations, which have the potential of generating an accumulation of electrostatic charge and/or a flammable atmosphere (including tank and container filling, splash filling, tank cleaning, sampling, gauging, switch loading, filtering, mixing, agitation, and vacuum truck operations) and use appropriate mitigating procedures. For more information, refer to OSHA Standard 29 CFR 1910.106, 'Flammable and Combustible Liquids, National Fire Protection Association (NFPA 77), Recommended Practice on Static Electricity' (liquids, powders and dusts), and/or the American Petroleum Institute (API) Recommended Practice 2003, 'Protection Against Ignitions Arising Out of Static, Lightning, and Stray Currents' (liquids).

General Storage Information: Treat as a solid that can burn. Store away from oxidizing materials, in a cool, dry place with adequate ventilation. Bond and ground transfer equipment. DO NOT USE OR STORE near heat, sparks or open flames. USE AND STORE ONLY IN WELL VENTILATED AREA. Keep container closed when not in use. Empty non-returnable containers retain product residue (solid, liquid, and/or vapor) and can be dangerous. Do not cut, weld, braze, solder, drill, grind, or expose such containers to heat, flame, sparks, static electricity, or other sources of ignition. They may explode and cause injury or death. Empty containers should be completely drained, properly closed, and promptly returned to a drum reconditioner, or disposed of properly. DO NOT USE OR STORE near heat, sparks or open flames. USE AND STORE ONLY IN WELL VENTILATED AREA.

Container Warnings: Containers, even those that have been emptied, can contain residues of dusts or

Revision Number: 11.00 Revision Date: 10/29/2009 MARLEX® and MARFLEX®
Polyethylenes (All Grades except CL,
L and Masterbatch Series)

solid particulates which may create both health and fire/explosion hazards.

SECTION 8 EXPOSURE CONTROLS/PERSONAL PROTECTION

GENERAL CONSIDERATIONS:

Consider the potential hazards of this material (see Section 3), applicable exposure limits, job activities, and other substances in the work place when designing engineering controls and selecting personal protective equipment. If engineering controls or work practices are not adequate to prevent exposure to harmful levels of this material, the personal protective equipment listed below is recommended. The user should read and understand all instructions and limitations supplied with the equipment since protection is usually provided for a limited time or under certain circumstances.

ENGINEERING CONTROLS:

Use in a well-ventilated area. If handling results in dust generation, special ventilation may be needed to ensure that dust exposure does not exceed the OSHA PEL for nuisance dust. If heated material generates vapor or fumes, use process enclosures, local exhaust ventilation, or other engineering controls to control exposure.

PERSONAL PROTECTIVE EQUIPMENT:

Eye/Face Protection: Wear eye protection such as safety glasses, chemical goggles, or faceshields if engineering controls or work practices are not adequate to prevent eye contact. If this material is heated, wear chemical goggles or safety glasses and a face shield.

Skin Protection: If this material is heated, wear insulated clothing to prevent skin contact if engineering controls or work practices are not adequate to prevent skin contact.

Respiratory Protection: No respiratory protection is normally required. If heated material generates vapor or fumes that are not adequately controlled by ventilation, wear a NIOSH approved respirator. Use the following elements for air-purifying respirators: Organic Vapor and Formaldehyde. Use a positive pressure, air-supplying respirator if there is potential for uncontrolled release, exposure levels are not known, or other circumstances where air-purifying respirators may not provide adequate protection.

Occupational Exposure Limits:

| Component | Limit | TWA | STEL | Ceiling / Peak | Notation | |
|----------------------------------|------------|--------------------|------|----------------|----------|--|
| Polyethylene | ACGIH | 3 mg/m3 | NA | NA | NA | |
| Polyethylene | German MAK | 6 mg/m3 | NA | NA | NA | |
| Polyethylene Hexene Copolymer | ACGIH | Not Established | NA | NA | NA | |

Control as Particulate Not Otherwise Classified (PNOC). The ACGIH Guideline* for respirable dust is 3.0 mg/m3 and 10.0 mg/m3 for total dust. The OSHA PEL for respirable dust is 5.0 mg/m3 and 15.0 mg/m3 for total dust.

SECTION 9 PHYSICAL AND CHEMICAL PROPERTIES

Appearance and Odor: Opaque, translucent waxy pellets or fluff, mild odor.

Autoignition: 380°C (716°F)

Boiling Point: NA

NIA (I.I.

Density: 0.91 g/cm3 - 0.97 g/cm

Evaporation Rate: NA

Flammability (Explosive) Limits (% by volume in air):

Lower: NA Upper:

NA

Flashpoint: 340°C (644°F) Molecular Formula: Mixture Molecular Weight: NDA

Revision Number: 11.00 Revision Date: 10/29/2009

Page: 5 of 9

MARLEX® and MARFLEX®
Polyethylenes (All Grades except CL,
L and Masterbatch Series)

^{*} This value is for inhalable (total) particulate matter containing no asbestos and < 1.0% crystalline silica.

Melting Point: 100°C (212°F) - 135°C (275°F)

Octanol / Water Partition Coefficient: log-Kow: NDA

pH: NA

Pour Point: NDA

Solubility (in water): Negligible Specific Gravity: 0.91 - 1.02

Vapor Pressure: NA Vapor Density (AIR=1): NA

Viscosity: NA
Percent Volatile: NDA

SECTION 10 STABILITY AND REACTIVITY

Chemical Stability: This material is considered stable under normal ambient and anticipated storage and handling conditions of temperature and pressure.

Conditions to Avoid: Not Applicable

Incompatibility With Other Materials: May react with oxygen and strong oxidizing agents, such as

chlorates, nitrates, peroxides, etc.

Hazardous Decomposition Products: Low molecular weight hydrocarbons, alcohols, aldehydes, acids

and ketones can be formed during thermal processing.

Hazardous Polymerization: Hazardous polymerization will not occur.

SECTION 11 TOXICOLOGICAL INFORMATION

IMMEDIATE HEALTH EFFECTS:

Acute Oral Toxicity: Polyethylene: NOAEL / rat / > 7950 mg/kg

Acute Dermal Toxicity: LD50 / not known Acute Inhalation Toxicity: LD50 / not known

Eye Irritation: This material is not expected to be irritating to the eyes. **Skin Irritation:** This material is not expected to be irritating to the skin.

Sensitization: Dermal - not a sensitizer / human

ADDITIONAL TOXICOLOGY INFORMATION:

This product contains POLYMERIZED OLEFINS.

During thermal processing (>350°F, >177°C) polyolefins can release vapors and gases (aldehydes, ketones and organic acids) which are irritating to the mucous membranes of the eyes, mouth, throat, and lungs. Generally these irritant effects are all transitory. However, prolonged exposure to irritating off-gases can lead to pulmonary edema. Formaldehyde (an aldehyde) has been classified as a probable human carcinogen by NTP, IARC (2A), and OSHA based on animal data and limited epidemiological evidence.

The toxicological properties of this product have not been tested or have not been tested completely and its handling or use may be hazardous. EXERCISE DUE CARE.

Long-term exposure to high dust concentrations may cause non-debilitating lung changes.

SECTION 12 ECOLOGICAL INFORMATION

ECOTOXICITY:

This material is not expected to be harmful to aquatic organisms. Fish or birds may eat pellets which

Revision Number: 11.00

Revision Date: 10/29/2009

Page: 6 of 9

MARLEX® and MARFLEX®

Polyethylenes (All Grades except CL,

L and Masterbatch Series)

may obstruct their digestive tracts.

ENVIRONMENTAL FATE:

This material is not expected to be readily biodegradable.

SECTION 13 DISPOSAL CONSIDERATIONS

Use material for its intended purpose or recycle if possible. This material, if it must be discarded, may meet the criteria of a hazardous waste as defined by US EPA under RCRA (40 CFR 261) or other State and local regulations. Measurement of certain physical properties and analysis for regulated components may be necessary to make a correct determination. If this material is classified as a hazardous waste, federal law requires disposal at a licensed hazardous waste disposal facility.

SECTION 14 TRANSPORT INFORMATION

The shipping descriptions shown here are for bulk shipments only, and may not apply to shipments in non-bulk packages (see regulatory definition). Consult the appropriate domestic or international mode-specific and quantity-specific Dangerous Goods Regulations for additional shipping description requirements (e.g., technical name or names, etc.) Therefore, the information shown here, may not always agree with the bill of lading shipping description for the material. Flashpoints for the material may vary slightly between the MSDS and the bill of lading.

Shipping Descriptions per regulatory authority.

US DOT

NOT REGULATED AS A HAZARDOUS MATERIAL OR DANGEROUS GOODS FOR TRANSPORTATION

ICAO / IATA

NOT REGULATED AS A HAZARDOUS MATERIAL OR DANGEROUS GOODS FOR TRANSPORTATION

IMO / IMDG

NOT REGULATED AS A HAZARDOUS MATERIAL OR DANGEROUS GOODS FOR TRANSPORTATION

RID / ADR

NOT REGULATED AS A HAZARDOUS MATERIAL OR DANGEROUS GOODS FOR TRANSPORTATION

SECTION 15 REGULATORY INFORMATION

SARA 311/312 CATEGORIES:

Immediate (Acute) Health Effects:
 Delayed (Chronic) Health Effects:
 Fire Hazard:
 Sudden Release of Pressure Hazard:
 Reactivity Hazard:

Revision Number: 11.00 Revision Date: 10/29/2009 Page: 7 of 9

MARLEX® and MARFLEX®
Polyethylenes (All Grades except CL,
L and Masterbatch Series)

REGULATORY LISTS SEARCHED:

| 17 = FDA 178 | 33 = - |
|----------------------------|---|
| 18 = FDA 179 | 34 = - |
| 19 = FDA 180 | 35 = - |
| 20 = FDA 181 | 36 = - |
| 21 = FDA 182 | 37 = SARA Section 302 |
| 22 = FDA 184 | 38 = SARA Section 313 |
| 23 = FDA 186 | 39 = TSCA 12 (b) |
| 24 = FDA 189 | 40 = TSCA Section 4 |
| 25 = IARC Group 1 | 41 = TSCA Section 5(a) |
| 26 = IARC Group 2A | 42 = TSCA Section 8(a) CAIR |
| 27 = IARC Group 2B | 43 = TSCA Section 8(a) PAIR |
| 28 = IARC Group 3 | 44 = TSCA Section 8(d) |
| | 45 = WHIMS - IDL |
| | 46 = Germany D TAL |
| | 47 = Germany WKG |
| 32 = OSHA Highly Hazardous | 48 = DEA List 1 |
| 3 . | 49 = DEA List 2 |
| | 18 = FDA 179 19 = FDA 180 20 = FDA 181 21 = FDA 182 22 = FDA 184 23 = FDA 186 24 = FDA 189 25 = IARC Group 1 26 = IARC Group 2A 27 = IARC Group 2B 28 = IARC Group 3 29 = IARC Group 4 30 = NTP Carcinogen 31 = OSHA Carcinogen |

No components of this material were found on the regulatory lists above.

WHMIS CLASSIFICATION:

This product is not considered a controlled product according to the criteria of the Canadian Controlled Products Regulations.

CHEMICAL INVENTORY LISTINGS:

AUSTRALIA NO (AUS)
CANADA YES (DSL)
CHINA YES (IECSC)
EUROPEAN UNION NO - Exempt (EINECS/ELINCS)

 JAPAN
 NO (ENCS)

 KOREA
 YES (ECL)

 PHILIPPINES
 NO (PICCS)

 UNITED STATES
 YES (TSCA)

EU LABELING:

Symbols:

NA - Not Applicable

Risk and Safety Phrases: S22: Do not breathe dust.

SECTION 16 OTHER INFORMATION

NFPA RATINGS: Health: 1 Flammability: 1 Reactivity:

(0-Least, 1-Slight, 2-Moderate, 3-High, 4-Extreme, PPE:- Personal Protection Equipment Index recommendation, *- Chronic Effect Indicator). These values are obtained using the guidelines or published evaluations prepared by the National Fire Protection Association (NFPA).

Revision Number: 11.00

Revision Date: 10/29/2009

Page: 8 of 9

MARLEX® and MARFLEX®

Polyethylenes (All Grades except CL, L and Masterbatch Series)

Special: NA

REVISION STATEMENT: The following sections have been updated:15

ABBREVIATIONS THAT MAY HAVE BEEN USED IN THIS DOCUMENT:

| 1 LV | - | Threshold Limit Value | TWA | - | Time Weighted Average |
|--------|---|--|------|---|---|
| STEL | - | Short-term Exposure Limit | PEL | - | Permissible Exposure Limit |
| ACGIH | - | American Conference of Government Industrial Hygienists | OSHA | - | Occupational Safety & Health Administration |
| NIOSH | - | National Institute for Occupational Safety & Health | NFPA | - | National Fire Protection Agency |
| WHMIS | - | Workplace Hazardous Materials Information System | IARC | - | Intl. Agency for Research on Cancer |
| EINECS | - | European Inventory of existing Commercial Chemical Substances | RCRA | - | Resource Conservation Recovery Act |
| SARA | - | Superfund Amendments and Reauthorization Act. | TSCA | - | Toxic Substance Control Act |
| EC50 | - | Effective Concentration | LC50 | _ | Lethal Concentration |
| LD50 | - | Lethal Dose | CAS | - | Chemical Abstract Service |
| NDA | - | No Data Available | NA | - | Not Applicable |
| <= | - | Less Than or Equal To | >= | - | Greater Than or Equal To |
| CNS | - | Central Nervous System | MAK | - | Germany Maximum Concentration Values |
| | | | | | |

This data sheet is prepared according to the latest adaptation of the EEC Guideline 67/548. This data sheet is prepared according to the OSHA Hazard Communication Standard (29 CFR 1910.1200).

This data sheet is prepared according to the ANSI MSDS Standard (Z400.1).

This data sheet was prepared by EHS Product Stewardship Group, Chevron Phillips Chemical Company LP, 10001 Six Pines Drive, The Woodlands, TX 77380.

This data sheet is prepared according to the Globally Harmonized System (GHS).

The above information is based on the data of which we are aware and is believed to be correct as of the date hereof. Since this information may be applied under conditions beyond our control and with which we may be unfamiliar and since data made available subsequent to the date hereof may suggest modifications of the information, we do not assume any responsibility for the results of its use. This information is furnished upon condition that the person receiving it shall make his own determination of the suitability of the material for his particular purpose.