

Occupational Respiratory Protection Authority by Federal Agency

Approval Requirements

NIOSH¹



NIOSH tests and approves respirators to general construction, quality assurance, and performance requirements for use in U.S. workplaces. This includes evaluating respirators on the market to ensure that they continue to meet requirements and issuing notices² to clarify requirements, retract approvals, and provide other guidance.

Healthcare



NIOSH and the FDA have a collaborative and streamlined process³ to ensure that surgical N95 respirators meet the requirements of both agencies.

Mining



NIOSH and MSHA jointly determine whether a respirator intended for mine rescue or other mine emergencies meets the requirements of both agencies. MSHA specifies the amount of time that the respirators must provide breathable air.

Workplace Use Requirements

OSHA



When respirators are needed, **OSHA** requires employers to have a respiratory protection program that includes the use of NIOSH-approved respirators, employee medical evaluations, fit testing, training, respirator maintenance, and hazard evaluations for proper respirator selection. Additional industry-specific requirements may be imposed by other federal agencies.

MSHA



Workplace use requirements within the mining industry are established by **MSHA** rather than **OSHA**.

FDA



FDA may issue Emergency Use Authorizations **during public health emergencies** to increase the supply of respirators for healthcare personnel, such as authorizing the use of respirators that are not NIOSH approved.



Centers for Disease Control
and Prevention
National Institute for Occupational
Safety and Health

1. National Institute for Occupational Safety and Health (NIOSH), Occupational Safety and Health Administration (OSHA), Mine Safety Health Administration (MSHA), Food and Drug Administration (FDA)
2. NIOSH Conformity Assessment Notices: <https://www.cdc.gov/niosh/npptl/resources/pressrel/letters/default.html>
3. FDA/CDC NIOSH MOU: <https://www.fda.gov/about-fda/domestic-mous/mou-225-18-006>