

## **“Protecting Trade Secrets Around the World, Part 3: How to Deal with Confidential Business Information in the Asia-Pacific Region”**

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### *Presenter Biography*

Robert Kiefer is the General Manager of REACH24H USA Inc., located near Washington, DC in Reston, VA. REACH24H USA is a subsidiary of REACH24H Consulting Group, a global regulatory consulting company located in Hangzhou, China. REACH24H provides chemical regulatory compliance services for companies trying to navigate the regulatory maze in China and Asia-Pacific countries, European Union, United States and Brazil. In addition, REACH24H offers expanded services for the pesticide, cosmetic and food sector industries.

Robert's career spans more than twenty years in Washington, DC working for two major trade associations in the chemical and formulated products industries. Prior to REACH24H, Robert served as Director of Regulatory and Technical Affairs for the American Chemistry Council (ACC), and before that with the Consumer Specialty Products Association (CSPA) where he served as Director of Scientific and International Affairs. He has extensive regulatory advocacy experience in domestic and global chemical control regulations, trade policy, hazard communication, consumer products and pesticides. Robert was also instrumental in the UN negotiations to finalize the GHS aerosol flammability test methods and classification & labeling criteria. Robert earned a BS in Biology from James Madison University.

### *Presentation Abstract*

GHS has been widely implemented in many A-P countries and regions. Although the nondisclosure confidential business information (CBI) on SDS is allowed by many of them, requirements distinguish themselves from one another. Taiwan requests prior approval by OSHA while China accepts generic names and concentration ranges as long as hazard information has been shown. Japan and Australia permit distinguished CBI only under certain circumstances. The author will summarize requirements by main A-P countries and provide comprehensive suggestions to companies on protecting CBI in the A-P area.

Regarding the CBI issue, the regulation differs greatly when multinational companies try to register the chemical substance in the A-P Rim. In order to avoid disclosing the chemical substance information to downstream users, the roles, such as Only Representative and Third Party Representative are adopted. During the public announcement process, the relevant authorities develop their own systems for handling mandatory information disclosure. What's more, CBI issues also occur in the nomination work, i.e., Thailand Annex 5.6 Notification, Taiwan Phase I Existing Chemical Substance Registration, Vietnam Existing Chemical Substance Nomination, etc.