

# Confidential Business Information and Innovation

# What is CBI?

- Any information known to a company which, if known publicly, would diminish the value of the company.
  - Chemical structures
  - Chemical composition
  - Chemical process data
  - Chemical production & sales data

# Issues Surrounding CBI

- Health and safety data
- Public right-to-know
- Value chain right-to-know
- Sharing among government entities

# CBI Protects Innovation

- Investment in innovation is protected
  - Patents not always appropriate or sufficient

# CBI Prevents Innovation

- Need for innovation is hidden
- Status quo is protected

# Voluntary Ingredient Disclosure

- Initiative developed by:
  - American Cleaning Institute
  - Consumer Specialty Products Association
  - Canadian Consumer Specialty Products Association
- Introduced in January 2010
- Update in January 2012

# Voluntary Ingredient Disclosure

- Highlights (current):
  - List ingredients in order of predominance
  - Use INCI, IUPAC, CAS, common names
  - Fragrances, dyes, preservatives
  - Functional names for proprietary ingredients (e.g. “anionic surfactant”)
  - On label, website, 800-number

# Voluntary Ingredient Disclosure

- Highlights (2012):
  - Dyes, preservatives must be identified
  - Fragrances: Must point to a list of ingredients used as fragrances
  - Must list website or 800-number, if used



# Recent Actions on CBI

- US EPA
  - FIFRA
  - TSCA
  - DfE
- California
  - Green Chemistry Initiative
- New York DEC
  - Proposed implementation of Ch. X Part 169

# Value Chain Communication

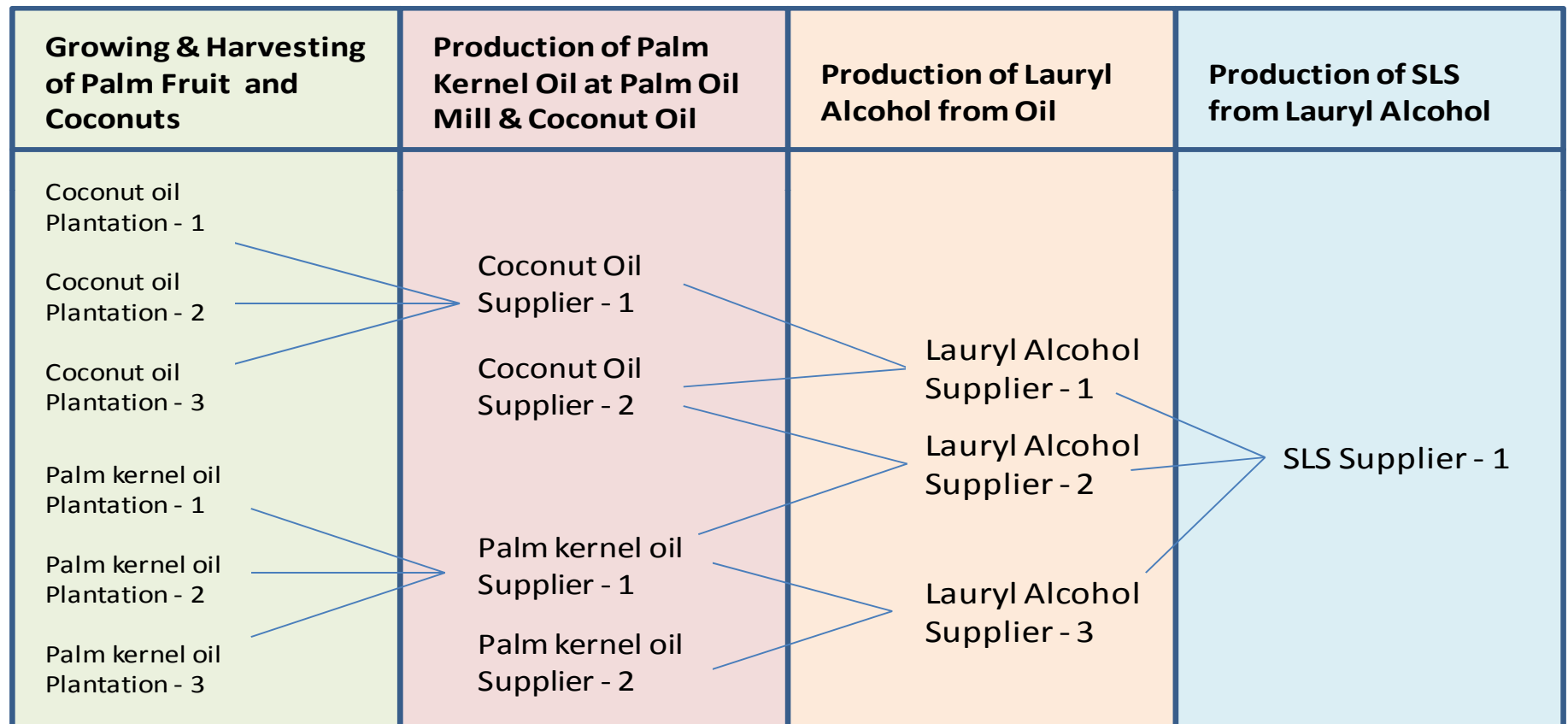
- Current State
  - Legally required information (e.g. MSDS)
  - Technical Data Sheets
  - Other information may be difficult to obtain
- Proposed State
  - NSF/GCI 355 Greener Chemicals and Processes Information

# Communication Beyond Tier 1

- Through Tier 1 to Tier 2
  - May infringe on Tier 1 - Tier 2 relationship
  - May create new opportunities
    - Innovation
    - Cost savings
- Tier 3 and Beyond
  - Direct
  - Through Associations

# Example

## Supply Chain Map for Sodium Lauryl Sulfate



## Example (continued)

- Tier 1 Supplier did not grant access to Tier 2 supplier
- Used Literature to gain information
- Developed relationships with Tier 2+ suppliers through associations (RSPO)

# For Break-Out Session

- Did claiming CBI protect our Tier 1 supplier?
- Did claiming CBI promote or impede innovation?
- If data are available in the literature, is there really CBI to protect?
- Were the interests of the public protected?

**Thank you.**