

# Bethicia Prasek, NexTier Completion Services; Mary Dimataris, Consultant

## ABSTRACT

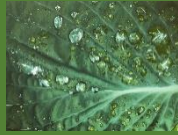
Balancing the need-to-know when authoring SDSs with the responsibility of confidential information in a fast-paced environment is a challenge as it is necessary to ensure all components are properly addressed in Section 3 and that appropriate GHS classification is provided. This process can get even more challenging when charged with vetting third-party information or for products used in sensitive environments that might have different regulatory disclosure requirements.

Legal agreements, building vendor relationships, and working with your company's Product Development and Purchasing departments to obtain needed information from the vendor early on are all techniques which can improve this process. Utilizing other sources of compositional information, trusting the vendor's listing of hazardous components, screening for specific chemicals of concern with the vendor, and obtaining product-level HSE testing are other worthwhile approaches.

This poster highlights these and other tactics garnered from years of experience which can be used to obtain information, improve communications with other departments, and increase confidence that your SDS provides an accurate representation of the product's hazards and meets the local requirements, all while maintaining the appropriate trade secrets.

### NEED FOR CHEMICAL DISCLOSURES

- National Chemical Inventories
- Health
- Safety
- Environment



- Regulatory
- Transport Classifications
- Fines, Responsibility



- ESG, Marketing, Quality, Efficiency, Accuracy
- Protections of Disclosed Information

### STANDARD LEGAL APPROACHES



- Non-Disclosure Agreements/Confidentiality Agreements-broad and standard
  - Unilateral vs Bilateral
- Narrow Regulatory Agreements
- Joint Development
- Industry and Academic Disclosures/Requirements and Freedom of Information
- OSHA: Sharing with Medical Personnel-limited access
- Country/State Regulatory Disclosure Requirements

### NON-DISCLOSED INGREDIENTS



- Trust Vendor Classification
- Test Product for Physical, Health, and Environmental Hazards-Expensive
- Request Vendor Provide Test Data to Support Classification
- Utilize a 3<sup>rd</sup> Party to Confirm Classification and/or Author SDS if Vendor Discloses to Them Instead of You

### RELATIONSHIPS

- Internal Relationships
  - Product Service Line
  - Marketing
  - Research & Development
  - Supply Chain/Procurement
  - Legal
  - Build/Contribute to Company Vision



- External Relationships
  - Vendor Relationships-can be multi-departmental
    - Higher Level Vendor Employees, as is appropriate
  - Share information with vendor, including why it is important /protecting the data
  - Share Company Vision
  - Regulatory Bodies
  - Professional Organizations
  - 3<sup>rd</sup> Party Resources

### REPUTATION

#### Company



- Ethical
- Powerful in Supply Chain-impact on Vendor \$\$
- Never or Rarely Accept Non-Disclosure

#### Personal



#### Ethical

- Understand Vendor's Position
- Engage All Impacted Teams Internally