

# INSTRUCTIONS FOR CONFIDENTIAL BUSINESS INFORMATION (CBI) JUSTIFICATION

The justification should be provided in the format below. The language used to prepare your justification should be in non-technical terms when possible. Maintain the documents in the order provided and do not remove any documents. The FOIA Office will make a final decision as to whether the information qualifies for protection under the FOIA.

## FORMAT

### I. Introduction.

Provide general information describing the competitive market of your business. Include any background information which provides relevancy to comments used in your justification. If any information belongs to cooperating businesses, include a discussion of how information is maintained confidential, i.e., secrecy agreements.

### II. In Your Justification, Categorize Like Pieces of Information.

A. Review the documents (e.g. permits/notifications, outlines of productions, efficacy/potency/safety test reports, technical/business proposals, etc.) we have referred to your organization for review under Executive Order 12600.

B. Highlight the information your company has claimed as CBI.

C. Categorize like pieces of information (gene description, bacterin strain, production/research methods, testing results, financial information, cooperators, etc.) that can be easily identified.

D. Provide a discussion for each category identified. The discussion should describe:

- 1) What each category of information reveals about your organization's business.
- 2) How a competitor could use this information to cause your company competitive harm.
- 3) The specific competitive harm (e.g., financial, research & development, etc.) that could result if the information is released. Essential for our release determination.

### III. Summary.

Summarize the importance of the information that you have identified as CBI to the viability of your company's business operations. Provide the name and telephone number of a company official who should be contacted for further information.

### IV. Index. (Optional)

Provide an index of the referred documents that your company designated as containing CBI. The index should match each appropriate categorical justification to the documents containing information claimed as CBI.

**LIST  
OF  
ITEMS THAT ARE NOT CBI**

Correspondence dates.

Business telephone numbers, including fax machines.

Legend lines in correspondence.

Expiration dates of serials.

Agency stop sale orders.

Final Agency decisions.

Approved labels and inserts.

Names of company officials, including manager of regulatory affairs.

Federal employee names.

State employee names.

APHIS date stamp.

Names of tests required in accordance with CFR, except when options apply.

Test results reported in column E of APHIS Form 7023

The number designations for tables and figures referenced as an enclosure.

Published articles, including dates and volume numbers.

Irrelevant non-CBI information contained in a responsive document.

References to numbered outlines, protocols, or permits.

Required CFR citations, except when options apply.

Outline of Production headings published in the CFR.

Names of regulated or licensed products, product codes, and firm numbers.

Submission dates on outlines, permits, applications, transmittal forms, etc.

Funding dollar amounts to cover the costs of government services.

Dollar amounts of awarded government contracts.

Locations of company owned field test sites.

Typist initial on company correspondence.

Product serial numbers, except for comprehensive list of numbers.