Biosafety News

Department of Biological Safety Newsletter Date November 2013 Volume 7, Issue 6

Export Controls: What They Are and Why You Should Know About Them

The subject of Export Controls can be quite complex, however you should be aware of some basic information to protect yourself, your lab, or the University from violation of these Federal rules. Violation of certain rules can incur penalties such as criminal investigation, fines up to a million dollars and/or imprisonment up to 10 years, and at the least, loss of export privileges.

Exports are defined as:

- Any transfer to a non-US individual or foreign entity, foreign embassy or affiliate, of goods, technology , or software by physical, electronic, oral or visual means
- Any disclosure of technical data or information to a foreign entity or individual by any means, inside or outside the U.S., including interactions while on foreign travel or with a foreign person visiting or on assignment in the U.S.

Export items include:

- Goods (ex: equipment, hardware, materials, testing kits, reagents, vials of material)
- Technology (ex: technical data, information)
- Software and/or software codes (commercial and custom)
- Disclosure of specific information and specific types of services to foreign nationals inside the U.S.

So what's the good news? The Fundamental Research Exclusion.

"'Fundamental research' means basic and applied research in science and engineering, the results of which ordinarily are published and shared broadly within the scientific community, as distinguished from proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reasons." - National Security Decision Directive 189

In general, this exclusion permits U.S. universities to allow foreign students, faculty and visitors to participate in research involving export-controlled information on campus without the need to obtain a deemed export license. However, this exclusion **does not** permit the transfer of export controlled materials or information abroad, even to research collaborators.

Export licensing **may be required** if there exists any clause in the agreement with the funding agency or sponsor of a project that prohibits the public dissemination of the scientific and technical information resulting from the project and/or or dictates specific access and dissemination controls for protection of information (ex: sponsor review of data prior to publication or the maintenance of confidential business information)

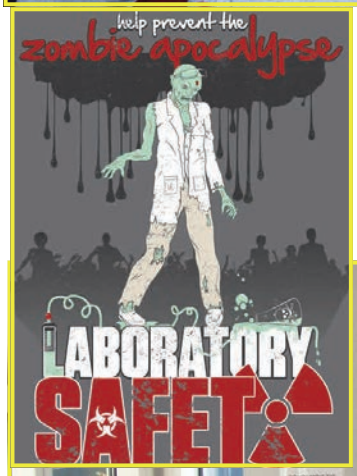
Additional potential "non–fundamental" situations you should keep in mind:

- Sharing of information with foreign nationals, foreign and domestic
- Specifications included in proposals and grants
- Cooperative research and development agreements including contracts, donations, sales or transfers of surplus equipment
- Internationals and domestic collaborations and technical exchange programs
- Publications including conference publications and presentations, papers, abstractions, journal articles, foreign and domestic

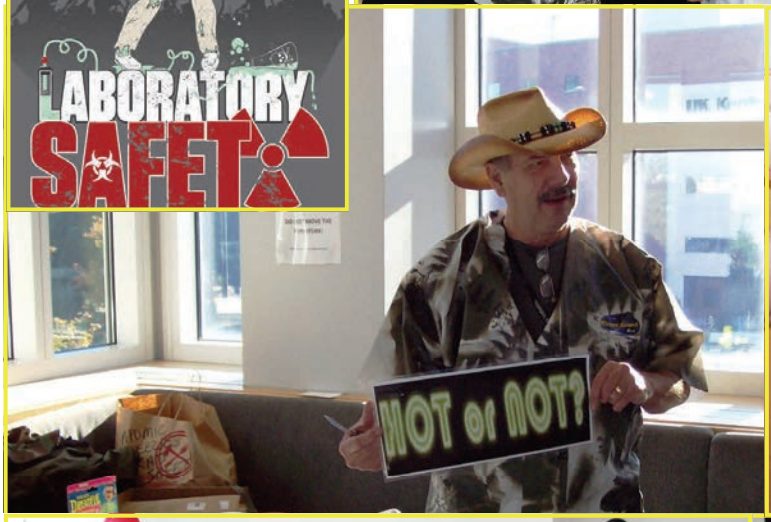
In addition, exports of materials are carefully controlled by the Department of Commerce. For shipments of biological materials outside of the United States it is crucial to contact the Department of Biological Safety to determine if an export license is required for your material.

For more information on this subject and a list of informational links, please visit:
http://ehs.uky.edu/docs/pdf/bio_ps_shipping_and_permit_requirements_for_biologicals_0001.pdf

Thank you to Debra Howard of UNC Chapel Hill for educational material included in her ABSA presentation on Export Controls

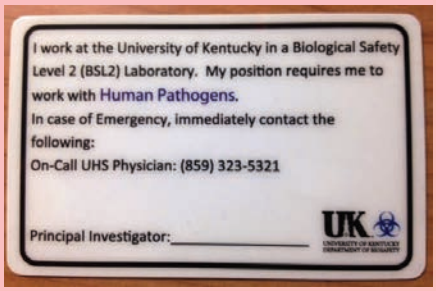


UK UNIVERSITY OF KENTUCKY
Environmental Health & Safety
laboratory Safety Fair
2013



Thank you to all who participated in our inaugural EH&S sponsored Lab Safety Fair! We hope to see everyone again at next years fair!

If your work in the research laboratory involves the use of **human pathogens**, it is imperative to know the potential hazards of the pathogens in use as well as the signs and symptoms of lab acquired infections or exposures to the infectious materials. When seeking medical advice for any illness, it is important for the treating physician to be aware of the fact that potential occupational exposure to human pathogens may have occurred. An occupational information carry card can provide information on the materials associated with your work in the laboratory. If you are ill and visit your family doctor or a hospital, take this card with you to help tell the health professionals caring for you. It may assist them in determining whether your illness could be connected with your work.



The UK Department of Biological Safety can provide carry cards for you and any personnel in your lab. Please contact ehsbiosafety@uky.edu for more information.

Biosafety Reminder:

Is your lab utilizing red bags?

At the University of Kentucky, regulated medical waste (also known as pathological waste) is not autoclaved and instead is incinerated by a licensed vendor. Disposal of this type of waste requires special designation by the use of a red bag.

How do you know if your lab is generating regulated medical waste?

Regulated medical or pathological waste is composed of only recognizable human organs, large amounts of unfixed human tissues, or large volumes (>500ml) of human blood. Red bags are also used for disposal of infected animal carcasses which are to be returned to DLAR.

Red bags should never be used for regular or biohazardous waste generated by research laboratories on campus. Biohazardous waste intended for autoclaving must be placed within an orange or clear autoclavable bag with the universal biohazard symbol.

If your research laboratory is producing legitimate red bag waste, please contact our department to be put on the authorized users list, thereby ensuring you have proper disposal containers and receive pick up service.

University of Kentucky

Department of Biological Safety

As part of the Division of Environmental Health & Safety, the Department of Biological Safety is responsible for programs concerning the safe use of recombinant and synthetic nucleic acids, infectious agents, and potentially infectious materials such as human sourced materials in the research and teaching laboratories at the University of Kentucky. This includes training, auditing, and consulting with researchers, laboratory personnel and teaching staff concerning compliance with the federal and state laws and regulations in these areas.

Visit us on the web!

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