Protecting Trade Secrets Around the World: How to Deal with Confidential Business Information, Part 2, European Union

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Presenter biography

Born in 1979, Christoph Schwarz studied food-chemistry and toxicology at the Karlsruhe Institute of Technology (KIT) in Germany (2002-2008), focusing on DNA damaging effects of food contaminants. He received his PhD in chemistry summa cum laude from the University of Vienna, Austria in 2012 for his thesis on DNA damaging effects of mycotoxins from the *Alternaria* genus.

Since 2012 Dr. Schwarz has been working for Dr. Knoell Consult, a leading global service provider for the chemical industry. Dr. Schwarz works in the field of regulatory chemistry and product safety for industrial chemicals and agrochemicals in the European Union.

Presentation abstract

This presentation gives an overview about the regulatory situation concerning confidential business information (CBI) / trade secrets in the EU, focusing on industrial chemicals. Relevant regulatory backgrounds are presented (Regulation (EC) 1907/2006 (REACH), Regulation (EC) 1272/2008 (CLP), as well as the new Trade Secrets Directive (EU) 2016/943). The resultant possibilities that chemical manufacturers, importers or registrants can choose to protect their CBI in the EU are described. Furthermore, a selection of case rationales is presented, to convey an idea of how the European Chemicals Agency (ECHA) decides whether a request for confidentiality will be accepted or refused. The process of dissemination by ECHA (making select registration data publicly available over the internet) is explained, and the presentation is concluded with some practical advice for registrants, along with useful internet-links.