

Directive 2001/18/EC of the European Parliament and of the Council
of 12 March 2001 on the deliberate release into the environment of
genetically modified organisms and repealing Council Directive 90/220/EEC

PART D

FINAL PROVISIONS

Article 25

Confidentiality

1 The Commission and the competent authorities shall not divulge to third parties any confidential information notified or exchanged under this Directive and shall protect intellectual property rights relating to the data received.

2 The notifier may indicate the information in the notification submitted under this Directive, the disclosure of which might harm his competitive position and which should therefore be treated as confidential. Verifiable justification must be given in such cases.

3 The competent authority shall, after consultation with the notifier, decide which information will be kept confidential and shall inform the notifier of its decisions.

4 In no case may the following information when submitted according to Articles 6, 7, 8, 13, 17, 20 or 23 be kept confidential:

- general description of the GMO or GMOs, name and address of the notifier, purpose of the release, location of release and intended uses;
- methods and plans for monitoring of the GMO or GMOs and for emergency response;
- environmental risk assessment.

5 If, for whatever reasons, the notifier withdraws the notification, the competent authorities and the Commission must respect the confidentiality of the information supplied.