§ 4805. Trade secrets. 1. When a manufacturer, producer, formulator or employer considers the identity of or other information concerning a toxic chemical substance to be a protectable trade secret whose disclosure would compromise his competitive advantage, he may register this information as secret with the commissioner provided that such information is already registered as a trade secret pursuant to any provision of federal law or such information is not registered as a trade secret but is related to a proprietary process the disclosure of which would compromise his competitive position.

2. The commissioner shall not release any data which discloses any trade secret or proprietary process unless he shall notify, in writing and by certified mail, the submitter of such information of the intent to release the data. The commissioner may not release the information, without the submitter's consent, until the thirtieth day after the submitter has been furnished such notice. Any subsequent release shall be pursuant to applicable provisions relating to trade secrets or the Freedom of Information Act.

3. In the event that a substance as to which information is sought is registered as a component of a trade secret or otherwise protected as a proprietary process, the employer, pursuant to procedures established by the commissioner, shall inform employees or their representatives, as to the toxic effects and the circumstances under which these effects are produced for those toxic substances whose identity has been duly registered with the commissioner as a component of a trade secret or a proprietary process but shall not be required to divulge the specific identity of the substance.

4. No officer, employee or agent of any state or municipal department, agency, commission or authority shall disclose to anyone in any manner any record or portions thereof protected pursuant to this article and which are within his custody or knowledge for so long as such record or portions thereof shall be so exempted or until a final judicial denial of such exemption is rendered. Any person who violates any provision of this subdivision may be fined, imprisoned, suspended or removed from office or employment in the manner provided by law.