

## Thomas Delille

### Partner

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### Languages spoken

English | French | German



## About Thomas

Thomas Delille supports individual companies and industrial associations in the legal challenges triggered by a variety of EU regulations, with a strong focus on chemicals and other environmental, social and governance (ESG) legislations.

Thomas' practice covers the full life cycle of regulations, from influencing the inception of EU acts or decisions, to developing compliance strategies to address existing regulations. In addition, Thomas has developed long-standing expertise in addressing complex due diligence obligations in the context of EU legislations, allowing him to support clients on emerging due diligence obligations in the ESG context (the Corporate Sustainability Reporting Directive (CSRD) and the upcoming Corporate Sustainability Due Diligence Directive (CS3D), the EU Deforestation-free Regulation, the EU Forced Labour Regulation, and the EU Batteries Regulation).

Thomas has solid EU litigation experience before EU courts, as well as the Board of Appeal of the European Chemicals Agency (ECHA) on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) and Classification, Labelling and Packaging (CLP) matters. His very successful track record includes tens of cases before the Board of Appeal of ECHA, most recently including a successful annulment in all cases he pleaded in 2023.

Thomas was previously counsel in the regulatory and government affairs practice of another international law firm. Before that, he gained experience at the Court of Justice of the European Union and at the European Parliament and was a researcher at the Centre for European Law of the University of Luxembourg.

## Experience

- Developing a testing strategy to generate relevant information following authorities' expressed intentions for a Harmonized Classification (CLH) as CMR Cat. 2.
- Assisting an industrial association in developing a substance identification strategy for so-called UVCBs.
- Challenging ECHA for its use of grouping at a pre-regulatory stage (ARNs).
- Assisting several registrants on their compliance and testing strategies following ECHA's dossier evaluation.

- Assisting a personal product manufacturer on a compliance strategy towards ending vertebrate animal testing under REACH.
- Obtaining several rectifications by the Executive Director of ECHA of REACH substance evaluation and dossier evaluation decisions.
- Defending a cosmetic ingredient in the context of a proposed CLH as Reprotoxic Cat. 2, exclusively based on read across.
- Defending an individual substance used in consumer products, subject to a proposal for CLH as Reprotoxic Cat. 2.
- Assisting global companies in providing comments on the proposal for a REACH restriction on PFAS.
- Developing a company internal strategy to mitigate liability risks related to the presence of substances of concern in cosmetic mixtures.
- Obtaining several annulments before the Board of Appeal of ECHA and EU Courts.
- Representing several companies during enforcement activities by national authorities, including in the REACH, CLP, Biocidal Products, Food contact materials and Plant Protection Products contexts (including France and Belgium).

#### **Board of Appeal of ECHA**

- **A-005-2014** – Obtained the first annulment of a substance evaluation decision.
- **A-001 to 002-2015** – obtained the rectification of a dossier evaluation decision by the Executive Director of ECHA (ED).
- **A-025-2015** – Obtained the rectification of a substance evaluation decision by ECHA's ED.
- **A-022-2015** – Represented a downstream user for the annulment of a substance evaluation decision.
- **A-024-2015** – Obtained the rectification of a decision by ECHA's ED on the One Substance One Registration principle.
- **A-003-2016** – Obtained the rectification of a substance evaluation decision by the ECHA's ED.
- **A-003 to A-005-2018** – Obtained the annulment of three substance evaluation decisions.
- **A-005-2017** – Represented a data owner in a data-sharing dispute.
- **A-007-2017** – Obtained the annulment of a substance evaluation decision.
- **A-023-2018** – Represented a data-owner in a REACH data-sharing dispute.
- **A-016-2019 to A-029-2019** – Obtained the annulment of 12 dossier evaluation decisions.
- **A-012-2021** – Obtained the partial annulment of a dossier evaluation decision.
- **A-012-2022** – Challenged an assessment of regulatory needs on behalf of affected companies.
- **A-006 to A-008-2023** – Obtained the rectification by of three dossier evaluation decisions (requests for extended EOGRTS) by ECHA's ED.
- **A-010-2022** – Challenged a substance evaluation decision (pending).

#### **Court of Justice of the European Union**

- **T-177/19** – Representing an EU industrial association in support of an action for annulment against the identification of an individual substance as Substance of Very High Concern under EU REACH.

- **T-127/20** – Successfully representing a consortium of individual companies in support of a favorable decision of the Board of Appeal of ECHA (on substance evaluation) by the French Competent Authority.
- **T-279/20, T-283/20 and T-288/20** – Obtained the annulment of the CLH of TiO<sub>2</sub> as CMR Cat. 2, on behalf of individual manufacturers as well as other affected operators.
- **T-655/20** – Represented a downstream user of a substance subject to a request for information involving vertebrate animal testing before the EU General Court.
- **T-148/21** – Action for annulment against a regulation introducing a marking requirement on plastic cups.
- **Case T-429/22** – Representing three global chemicals companies (Evonik, Cabot and Wacker) in an action for annulment of a harmonized classification of an individual substance as STOT RE (pending).
- **T-121/23** – Request for reexamination of the identification of an individual substance as Substance of Very High Concern.

## Credentials

### Education

- University of Luxembourg, Ph.D., 2012
- London School of Economics, LL.M., 2011
- Universities of Luxembourg and Strasbourg, LL.M., 2008

### Admissions

- Paris, 2019
- Brussels, 2015

## Expertise

### Services

- Public Policy
- Environmental, Safety & Health

### Industries

- Chemicals

## Media

- Interviewed, "[Companies count the cost of compliance with green regulation](#)", Financial Times, 16 May 2024.

## Publications & Speaking Engagements

- Co-author, "[EU tackles greenwashing: 'Empowering Consumers Directive' and proposals for the future](#)", Reuters, 16 May 2024.

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business

and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.