

Helsinki, 31 May 2016

Addressee: [REDACTED]

Decision number: TPE-D-2114334871-49-01/F  
Substance name: 2,2'-[oxybis(methylene)]bis[2-ethylpropane-1,3-diol]  
EC number: 245-509-0  
CAS number: 23235-61-2  
Registration number: [REDACTED]  
Submission number: [REDACTED]  
Submission date: 03 July 2015  
Registered tonnage band: 1000 tonnes or more per year

### **DECISION ON A TESTING PROPOSAL**

Based on Article 40 of Regulation (EC) No 1907/2006 (the 'REACH Regulation'), ECHA has taken the following decision.

**Your testing proposal is accepted and you are requested to carry out:**

- 1. Sub-chronic toxicity study (90-day), oral route (Annex IX, Section 8.6.2.; test method: EU B.26./OECD TG 408) in rats using the registered substance.**

You may adapt the testing requested above according to the specific rules outlined in Annexes VI to X and/or according to the general rules contained in Annex XI of the REACH Regulation. In order to ensure compliance with the respective information requirement, any such adaptation will need to have a scientific justification, referring and conforming to the appropriate rules in the respective Annex, and an adequate and reliable documentation.

You are required to submit the requested information in an updated registration dossier by **07 December 2017**. You shall also update the chemical safety report, where relevant.

The reasons of this decision are set out in Appendix 1. The procedural history is described in Appendix 2. Advice and further observations are provided in Appendix 3.

#### **Appeal**

This decision can be appealed to the Board of Appeal of ECHA within three months of its notification. An appeal, together with the grounds thereof, shall be submitted to ECHA in writing. An appeal has suspensive effect and is subject to a fee. Further details are described under <http://echa.europa.eu/regulations/appeals>.

Authorised<sup>1</sup> by Guilhem de Seze, Head of Unit, Evaluation E1

<sup>1</sup> As this is an electronic document, it is not physically signed. This communication has been approved according to ECHA's internal decision-approval process.

## Appendix 1: Reasons

The decision of ECHA is based on the examination of the testing proposal(s) submitted by you.

### 1. Sub-chronic toxicity study (90-day) (Annex IX, Section 8.6.2.)

Pursuant to Article 40(3)(a) of the REACH Regulation, ECHA may require the Registrant to carry out the proposed test.

Examination of the testing proposal

A sub-chronic toxicity study (90 day) is a standard information requirement as laid down in Annex IX, Section 8.6.2. of the REACH Regulation. The information on this endpoint is not available for the registered substance but needs to be present in the technical dossier to meet the information requirements. Consequently there is an information gap and it is necessary to provide information for this endpoint.

You have submitted a testing proposal for a sub-chronic toxicity study (90 day) in rats by the oral route according to EU B.26/OECD TG to be performed with the registered substance.

You proposed testing by the oral route. Based on the information provided in the technical dossier and/or in the chemical safety report, ECHA agrees that the oral route - which is the preferred one as indicated in ECHA *Guidance on information requirements and chemical safety assessment* (version 4.1, October 2015) Chapter R.7a, section R.7.5.4.3 - is the most appropriate route of administration. Hence, the test shall be performed by the oral route using the test method EU B.26./OECD TG 408.

You proposed testing in rats. According to the test method EU B.26/OECD TG 408 // OECD TG 413 the rat is the preferred species. ECHA considers this species as being appropriate and testing should be performed with the rat.

In the comments to the draft decision you agreed to conduct the test.

Outcome

Therefore, pursuant to Article 40(3)(a) of the REACH Regulation, you are requested to carry out the proposed study with the registered substance subject to the present decision. Sub-chronic toxicity study (90-day) in rats, oral route (test method: EU B.26/OECD TG 408).

## **Appendix 2: Procedural history**

ECHA received your registration containing the testing proposal(s) for examination pursuant to Article 40(1) on 3 July 2015.

ECHA held a third party consultation for the testing proposal(s) from 30 September 2015 until 16 November 2015. ECHA did not receive information from third parties.

ECHA notified you of the draft decision and invited you to provide comments.

In your comments you agreed to the draft decision. ECHA took your comments into account and did not amend the request(s).

ECHA notified the draft decision to the competent authorities of the Member States for proposal(s) for amendment. As no amendments were proposed, ECHA took the decision according to Article 51(3) of the REACH Regulation.

This decision does not take into account any updates after **15 February 2016**, 30 calendar days after the end of the commenting period.

**Appendix 3: Further information, observations and technical guidance**

1. This decision does not imply that the information provided by the Registrant in his registration dossier is in compliance with the REACH requirements. The decision does not prevent ECHA from initiating a compliance check on the registration at a later stage.
2. Failure to comply with the request(s) in this decision, or to fulfil otherwise the information requirement(s) with a valid and documented adaptation, will result in a notification to the Enforcement Authorities of the Member States.
3. In relation to the information required by the present decision, the sample of the substance used for the new test must be suitable for use by all the joint registrants. Hence, the sample should have a composition that is suitable to fulfil the information requirement for the range of substance compositions manufactured or imported by the joint registrants. It is the responsibility of all joint registrants who manufacture or import the same substance to agree on the appropriate composition of the test material and to document the necessary information on their substance composition. In addition, it is important to ensure that the particular sample of the substance tested in the new test is appropriate to assess the properties of the registered substance, taking into account any variation in the composition of the technical grade of the substance as actually manufactured or imported by each registrant. If the registration of the substance by any registrant covers different grades, the sample used for the new test must be suitable to assess these grades. Finally there must be adequate information on substance identity for the sample tested and the grade registered to enable the relevance of the test to be assessed.