

Helsinki, 8 September 2022

Addressees

Registrant(s) of JS_761-65-9 as listed in Appendix 3 of this decision

Date of submission of the dossier subject to this decision

14/12/2020

Registered substance subject to this decision ("the Substance")

Substance name: N,N-dibutylformamide

EC number: 212-090-0

Decision number: Please refer to the REACH-IT message which delivered this communication (in format CCH-D-XXXXXXXXXX-XX-XX/F)**DECISION ON A COMPLIANCE CHECK**

Under Article 41 of Regulation (EC) No 1907/2006 (REACH), you must submit the information listed below, by the deadline of **13 June 2024**.

Requested information must be generated using the Substance unless otherwise specified.

Information required from all the Registrants subject to Annex VII of REACH

1. Short-term toxicity testing on aquatic invertebrates (Annex VII, Section 9.1.1.; test method: EU C.2./OECD TG 202)

The reasons for the decision(s) are explained in Appendix 1.

Information required depends on your tonnage band

You must provide the information listed above for all REACH Annexes applicable to you in accordance with Articles 10(a) and 12(1) of REACH. The addressees of the decision and their corresponding information requirements based on registered tonnage band are listed in Appendix 3.

You are only required to share the costs of information that you must submit to fulfil your information requirements.

How to comply with your information requirements

To comply with your information requirements, you must submit the information requested by this decision in an updated registration dossier by the deadline indicated above. You must also **update the chemical safety report, where** relevant, including any changes to classification and labelling, based on the newly generated information.

You must follow the general requirements for testing and reporting new tests under REACH, see Appendix 4.

Appeal

This decision, when adopted under Article 51 of REACH, may be appealed to the Board of Appeal of ECHA within three months of its notification to you. Please refer to <http://echa.europa.eu/regulations/appeals> for further information.

Failure to comply

If you do not comply with the information required by this decision by the deadline indicated above, ECHA will notify the enforcement authorities of your Member State.

Authorised¹ under the authority of Mike Rasenberg, Director of Hazard Assessment

Appendix 1: Reasons for the decision

Appendix 2: Procedure

Appendix 3: Addressees of the decision and their individual information requirements

Appendix 4: Conducting and reporting new tests under REACH

¹ 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 for the decision

Contents

| | |
|-------------------------------------------------------------------------------------------------|----------|
| Reasons related to the information under Annex VII of REACH..... | 4 |
| 1. Short-term toxicity testing on aquatic invertebrates (Annex VII, Section 9.1.1., Column 1) . | 4 |
| References | 7 |

Reasons related to the information under Annex VII of REACH**1. Short-term toxicity testing on aquatic invertebrates (Annex VII, Section 9.1.1., Column 1)**

1 Short-term toxicity testing on aquatic invertebrates is an information requirement under Annex VII to REACH (Section 9.1.1.).

1.1. Information provided

2 You have provided a study according to DIN 38412 - L11, 1982-10 (claimed similar to OECD TG 202) on the Substance (1989).

1.2. Assessment of the information provided

3 We have assessed this information and identified the following issue:

1.2.1. The provided study does not meet the information requirement

4 To fulfil the information requirement, a study must comply with OECD TG 202 (Article 13(3) of REACH). Therefore, the following specifications must be met:

5 Characterisation of exposure

- a) analytical monitoring must be conducted.

6 Your registration dossier provides a study showing the following:

7 Characterisation of exposure

- a) no analytical monitoring of exposure was conducted.

8 Based on the above, there are critical methodological deficiencies resulting in the rejection of the study results. More, specifically you have not demonstrated that test animals were adequately exposed to the test material in this test.

9 On this basis, the information requirement is not fulfilled.

1.3. Assessment of the information in your comments to the draft decision

10 In your comments to the draft decision, you state that the above study "*will not be further considered as a key study in the assessment of the short-term toxicity to aquatic invertebrates*". Instead, you have provided information derived from experimental data from a group of substances using the OECD QSAR Toolbox and flagged the information as QSAR.

11 As the group of substances are used as source substances to predict the property of the Substance, we understand that you have adapted the standard information requirements under Annex XI, Section 1.5 of REACH (grouping and read-across).

1.3.1. Assessment of the read-across approach

12 ECHA has considered the scientific and regulatory validity of your read-across approach(es) in general before assessing the specific standard information requirements in the following sections.

13 Annex XI, Section 1.5. specifies two conditions which must be fulfilled whenever a read-across approach is used. Firstly, there needs to be structural similarity between substances which results in a likelihood that the substances have similar physicochemical, toxicological

and ecotoxicological properties so that the substances may be considered as a group or category. Secondly, it is required that the relevant properties of a substance within the group may be predicted from data for reference substance(s) within the group.

14 Additional information on what is necessary when justifying a read-across approach can be found in the Guidance on IRs and CSA, Chapter R.6. and related documents (RAAF, 2017; RAAF UVCB, 2017).

1.3.2. *Scope of the grouping of substances (category)*

15 You have not provided a read-across justification document in your comments to the draft decision.

16 For the purpose of this decision, the following abbreviations are used for the category members:

- Dimethenamid-P metabolite (M656PH003)C (No CAS RN or EC No. provided);
- 1,1-trifluoro-N trifluoromethanesulfonylmethan sulfonamide (CAS RN 82113-65-3);
- Ethopabate (No CAS RN or EC No. provided);
- Fenamidone metabolite (CAS RN 90-13-1) ;
- N,N'-[6,13-diacetamido-2,9- diethoxy-3,10- triphenodioxazinediyl]bis(benzamide), (CAS RN 17741-63-8)

17 You justify the grouping of the substances as: "*the 5 nearest neighbours*" in terms of log Kow from the OECD Toolbox database.

18 You define the applicability domain as: mono-constituent substances belonging to amides with a log Kow ranging from 1.9 to 2.27.

19 ECHA understands that this is the applicability domain of the grouping and your predictions are assessed on this basis and that your read-across hypothesis assumes that different compounds have the same type of effects. You predict the properties of your Substance to be quantitatively equal to those of the source substances.

1.3.3. *Assessment of the information provided*

1.3.3.1. *Composition of the substances within the group*

20 Annex XI, Section 1.5 of the REACH Regulation provides that "substances whose physicochemical, toxicological and ecotoxicological properties are likely to be similar or follow a regular pattern as a result of structural similarity may be considered as group."

21 Therefore, qualitative and quantitative information on the compositions of the category members must be provided to allow assessing whether the attempted predictions are compromised by the composition and/or impurities.

22 You report that the category members are mono-constituent substances without further information on composition or on purity.

23 Without this information, no qualitative or quantitative comparative assessment of the compositions of the different category members can be completed. Therefore, it is not possible to assess whether the attempted predictions are compromised by the composition of the category members.

1.3.3.2. *Absence of read-across documentation*

24 Annex XI, Section 1.5 requires that whenever read-across is used adequate and reliable documentation of the applied method must be provided. Such documentation must include an explanation why the properties of the Substance may be predicted from information on the source substance(s).

- 25 You have provided a prediction based on effect values obtained from other substances than the Substance in order to comply with the REACH information requirements. However, you have not provided documentation as to why this information is relevant for the Substance and thus why the properties of the Substance may be predicted from information on the source substances.
- 26 In the absence of such documentation, the properties of the Substance cannot be reliably predicted from the data on the source substances.

1.3.3.3. Inadequate read-across hypothesis

- 27 Annex XI, Section 1.5 requires that whenever read-across is used adequate and reliable documentation of the applied method must be provided. Such documentation must include an explanation why the properties of the Substance may be predicted from other substances in the group, i.e. a read-across hypothesis. This hypothesis should be based on recognition of the structural similarities and differences between the substances (Guidance on IRs and CSA, Section R.6.). It should explain why the differences in the chemical structures should not influence the ecotoxicological properties or should do so in a regular pattern, taking into account that variations in chemical structure can affect both toxicokinetics (uptake and bioavailability) and toxicodynamics (e.g. interactions with receptors and enzymes) of substances (Guidance on IRs and CSA, Section R.6.2.1.3).
- 28 Your read-across hypothesis is only based on the presence of an amide moiety and similarities in the log Kow values of the category members. You consider that these elements are a sufficient basis for predicting the (eco)toxicological properties of the Substance.
- 29 You have not substantiated how structural and physico-chemical similarity alone would explain similarity in the predicted endpoint and thus be sufficient to justify the prediction of short-term toxicity on aquatic invertebrates.
- 30 Physico-chemical similarity alone does not necessarily lead to predictable or similar ecotoxicological properties. You have not provided a well-founded hypothesis to establish a reliable prediction for an ecotoxicological property, explaining why the structural differences do not influence toxicokinetics and toxicodynamics of the substances, and thus why the properties of the Substance may be predicted from information on the source substances.

1.3.3.4. Missing robust study summaries

- 31 Annex XI, Section 1.5 requires that whenever read-across is used adequate and reliable documentation of the applied method must be provided. Such documentation must include robust study summary for each source study used in the adaptation.
- 32 Robust study summary must provide a detailed summary of the objectives, methods, results and conclusions of a full study report providing sufficient information to make an independent assessment of the study (Article 3(28)).
- 33 You have not provided detailed information on the methods, results and conclusions, allowing for an independent assessment of the studies used for the prediction. Therefore, you have failed to provide a robust study summary for each source study used in the adaptation as required by Annex XI, Section 1.5.

1.3.4. Conclusion

- 34 As explained above, you have not established that relevant properties of the Substance can be predicted from data on the source substance(s). Therefore, your read-across approach under Annex XI, Section 1.5. is rejected. Therefore, the additional information provided in your comments to the draft decision does not fulfil the information requirement.

References

The following documents may have been cited in the decision.

Guidance on information requirements and chemical safety assessment (Guidance on IRs & CSA)

- Chapter R.4 Evaluation of available information; ECHA (2011).
Chapter R.6 QSARs, read-across and grouping; ECHA (2008).
Appendix to Chapter R.6 for nanoforms; ECHA (2019).
Chapter R.7a Endpoint specific guidance, Sections R.7.1 – R.7.7; ECHA (2017).
Appendix to Chapter R.7a for nanomaterials; ECHA (2017).
Chapter R.7b Endpoint specific guidance, Sections R.7.8 – R.7.9; ECHA (2017).
Appendix to Chapter R.7b for nanomaterials; ECHA (2017).
Chapter R.7c Endpoint specific guidance, Sections R.7.10 – R.7.13; (ECHA 2017).
Appendix to Chapter R.7a for nanomaterials; ECHA (2017).
Appendix R.7.13-2 Environmental risk assessment for metals and metal compounds; ECHA (2008).
Chapter R.11 PBT/vPvB assessment; ECHA (2017).
Chapter R.16 Environmental exposure assessment; ECHA (2016).

Guidance on data-sharing; ECHA (2017).

All Guidance on REACH is available online: <https://echa.europa.eu/guidance-documents/guidance-on-reach>

Read-across assessment framework (RAAF)

- RAAF, 2017 Read-across assessment framework (RAAF), ECHA (2017)
RAAF UVCB, 2017 Read-across assessment framework (RAAF) – considerations on multi- constituent substances and UVCBs), ECHA (2017).

The RAAF and related documents are available online:

<https://echa.europa.eu/support/registration/how-to-avoid-unnecessary-testing-on-animals/grouping-of-substances-and-read-across>

OECD Guidance documents (OECD GDs)

- OECD GD 23 Guidance document on aquatic toxicity testing of difficult substances and mixtures; No. 23 in the OECD series on testing and assessment, OECD (2019).
OECD GD 29 Guidance document on transformation/dissolution of metals and metal compounds in aqueous media; No. 29 in the OECD series on testing and assessment, OECD (2002).
OECD GD 150 Revised guidance document 150 on standardised test guidelines for evaluating chemicals for endocrine disruption; No. 150 in the OECD series on testing and assessment, OECD (2018).
OECD GD 151 Guidance document supporting OECD test guideline 443 on the extended one-generation reproductive toxicity test; No. 151 in the OECD series on testing and assessment, OECD (2013).

Appendix 2: Procedure

This decision does not prevent ECHA from initiating further compliance checks at a later stage on the registrations present.

ECHA followed the procedure detailed in Articles 50 and 51 of REACH.

The compliance check was initiated on 02 June 2021.

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

ECHA took into account your comments and amended the request(s). The information from your comments addresses adequately some of the information requirements specified in the draft decision. On 02 February 2022, you updated your registration dossier to include the new information from your comments. Therefore, ECHA has removed the following requests:

- Growth inhibition study aquatic plants (Annex VII, Section 9.1.2.; test method: EU C.3./OECD TG 201)
- Short-term toxicity testing on fish (Annex VIII, Section 9.1.3.; test method: EU C.1./OECD TG 203)

ECHA notified the draft decision to the competent authorities of the Member States for proposals for amendment.

As no amendments were proposed, ECHA adopted the decision under Article 51(3) of REACH.

The deadline of the decision is set based on standard practice for carrying out OECD TG tests. It has been exceptionally extended by 6 months from the standard deadline granted by ECHA to take into account currently longer lead times in contract research organisations.

Appendix 3: Addressees of this decision and their corresponding information requirements

In accordance with Articles 10(a) and 12(1) of REACH, the information requirements for individual registrations are defined as follows:

- the information specified in Annexes VII and VIII to REACH, for registration at 10-100 tpa;

| Registrant Name | Registration number | Highest REACH Annex applicable to you |
|------------------------|----------------------------|----------------------------------------------|
| ██████████ | ████████████████████ | ██████████ |
| ██████████ | ████████████████████ | ██████████ |

Where applicable, the name of a third party representative (TPR) may be displayed in the list of recipients whereas ECHA will send the decision to the actual registrant.

Appendix 4: Conducting and reporting new tests for REACH purposes

1. Requirements when conducting and reporting new tests for REACH purposes

1.1. Test methods, GLP requirements and reporting

- (1) Under Article 13(3) of REACH, all new data generated as a result of this decision must be conducted according to the test methods laid down in a European Commission Regulation or to international test methods recognised by the Commission or ECHA as being appropriate.
- (2) Under Article 13(4) of REACH, ecotoxicological and toxicological tests and analyses must be carried out according to the GLP principles (Directive 2004/10/EC) or other international standards recognised by the Commission or ECHA.
- (3) Under Article 10(a)(vi) and (vii) of REACH, all new data generated as a result of this decision must be reported as study summaries, or as robust study summaries, if required under Annex I of REACH. See ECHA Practical Guide on How to report robust study summaries².

1.2. Test material

Before generating new data, you must agree within the joint submission on the chemical composition of the material to be tested (Test Material) which must be relevant for all the registrants of the Substance.

- (1) Selection of the Test material(s)
The Test Material used to generate the new data must be selected taking into account the following:
 - the variation in compositions reported by all members of the joint submission,
 - the boundary composition(s) of the Substance,
 - the impact of each constituent/ impurity on the test results for the endpoint to be assessed. For example, if a constituent/ impurity of the Substance is known to have an impact on (eco)toxicity, the selected Test Material must contain that constituent/ impurity.
- (2) Information on the Test Material needed in the updated dossier
 - You must report the composition of the Test Material selected for each study, under the "Test material information" section, for each respective endpoint study record in IUCLID.
 - The reported composition must include all constituents of each Test Material and their concentration values and other parameters relevant for the property to be tested.

This information is needed to assess whether the Test Material is relevant for the Substance and whether it is suitable for use by all members of the joint submission.

Technical instructions on how to report the above is available in the manual on How to prepare registration and PPORD dossiers³.

² <https://echa.europa.eu/practical-guides>

³ <https://echa.europa.eu/manuals>