Note for the attention of
Jose Tarazona, Chair of the Committee for Risk Assessment

Subject: Request to the Committee for Risk Assessment for an opinion on
gallium arsenide in relation to carcinogenicity

1 Background

The Committee for Risk Assessment (RAC) is requested to draw up an opinion
according to the following mandate:

On 25 May 2010 RAC adopted an opinion on a proposal for the harmonised
classification and labelling of gallium arsenide. RAC concluded that a classification
of carcinogenicity category 1A (Regulation EC No. 1272/2008) was appropriate.

In order for the Commission to make a decision in relation to the proposed
classification, it has requested ECHA to see whether there is any new or relevant
information concerning the carcinogenicity of gallium arsenide and its metabolic
products. The request from the Commission to the Executive Director of ECHA is
attached as Annex 1 to this mandate.

To collect any new or relevant information, ECHA plans to carry out a public
consultation on the carcinogenicity of gallium arsenide. The public consultation will
be targeted to new and relevant information, in addition to that already assessed by
RAC when forming its opinion of 25 May 2010.

2 Terms of Reference

To allow the European Commission, on the basis of scientific advice, to decide, in
accordance with Article 37(5) of the CLP Regulation, the appropriate harmonised
classification and labelling of gallium arsenide, pursuant to Article 77(3)(c) of
REACH, RAC is requested to:

Review and evaluate any information arising in the public consultation in order to
decide whether it is new and relevant and to draw up an opinion accordingly to
assist the Commission to decide on the appropriate classification of gallium
arsenide in relation to carcinogenicity.

3 Timescale for the RAC opinion

The European Commission has not specified a deadline to receive the opinion of the
Committee for Risk Assessment. However, it is understood that the Commission
wishes to clarify the proposed harmonised classification and labelling as soon as
practicable. Nevertheless, it is proposed to hold the public consultation for the period usually allowed for CLH dossiers, i.e. 45 days. In addition, the timing of the RAC opinion will depend upon what information becomes available during the public consultation. If no new and relevant information is provided it is aimed to confirm a RAC opinion at RAC-16 (7-9 June 2011). However, should information be provided that is new and relevant the RAC (co-) rapporteurs will need to compare this new information with the criteria for classification for carcinogenicity that are specified in Regulation 1272/2008. In this eventuality, an extended timeframe will be drawn up based upon the advice of the (co-) rapporteurs and the Commission.

4 Remuneration

The task for RAC following from this request is not considered to fulfill any of the requirements of a transfer of funds to the competent authorities of the Member States pursuant to Article 14(1) of Regulation (EC) No 340/2008 and therefore no remuneration will be paid by the Agency.

[Signature]

Geert Dancet
Executive Director

Cc: Pilar Rodriguez Iglesias, Joerg Lebsanft, Jukka Malm.