EUROPEAN CHEMICALS AGENCY

Decision number: TPE-D-2114292040-61-01/F Helsinki, 19 December 2014

DECISION ON TESTING PROPOSAL(S) SET OUT IN A REGISTRATION PURSUANT TO ARTICLE 40(3) OF REGULATION (EC) NO 1907/2006

For 1-[bis[3-(dimethylamino)propyl]amino]propan-2-ol, CAS No 67151-63-7 (EC No 266-587-2), registration number: [redacted]

Addressee: [redacted]

The European Chemicals Agency (ECHA) has taken the following decision in accordance with the procedure set out in Articles 50 and 51 of Regulation (EC) No 1907/2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH Regulation).

I. Procedure

Pursuant to Article 40(1) of the REACH Regulation, ECHA has examined the following testing proposal submitted as part of the registration dossier in accordance with Articles 10(a)(ix) and 12(1)(d) thereof for 1-[bis[3-(dimethylamino)propyl]amino]propan-2-ol, CAS No 67151-63-7 (EC No 266-587-2), submitted by [redacted] (Registrant).

- Testing proposal: 90-day oral toxicity study (OECD 408) in rodents, oral route using the registered substance 1-[bis[3-(dimethylamino)propyl]amino]propan-2-ol

This decision is based on the registration dossier as submitted with submission number [redacted], for the tonnage band of 100 to 1000 tonnes per year. This decision does not take into account any updates after 30 October 2014, the date upon which ECHA notified its draft decision to the Competent Authorities of the Member States pursuant to Article 51(1) of the REACH Regulation.

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.

ECHA received the registration dossier containing the above-mentioned testing proposal for further examination pursuant to Article 40(1) on 17 May 2013.

ECHA held a third party consultation for the testing proposal from 21 March 2014 until 5 May 2014. ECHA received information from third parties (see section III below).

On 25 August 2014 ECHA sent the draft decision to the Registrant and invited him to provide comments within 30 days of the receipt of the draft decision.

On 27 August 2014 ECHA received comments from the Registrant agreeing to ECHA's draft decision.

On 30 October 2014 ECHA notified the Competent Authorities of the Member States of its draft decision and invited them pursuant to Article 51(1) of the REACH Regulation to submit

proposals for amendment of the draft decision within 30 days of the receipt of the notification.

As no proposal for amendment was submitted, ECHA took the decision pursuant to Article 51(3) of the REACH Regulation.

II. Testing required

A. Tests required pursuant to Article 40(3)

The Registrant shall carry out the following proposed test pursuant to Article 40(3)(a) and 13(4) of the REACH Regulation using the indicated test method and the registered substance subject to the present decision:

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

Note for consideration by the Registrant:

The Registrant 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 to and conforming with the appropriate rules in the respective Annex, and an adequate and reliable documentation.

Failure to comply with the request in this decision, or to fulfil otherwise the information requirement with a valid and documented adaptation, will result in a notification to the Enforcement Authorities of the Member States.

B. Deadline for submitting the required information

Pursuant to Articles 40(4) and 22(2) of the REACH Regulation, the Registrant shall submit to ECHA by **27 June 2016** an update of the registration dossier containing the information required by this decision.

III. Statement of reasons

The decision of ECHA is based on the examination of the testing proposal submitted by the Registrant for the registered substance and scientific information submitted by third parties.

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

a) Examination of the testing proposal

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

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.

The Registrant has submitted a testing proposal for a sub-chronic toxicity study (90 day) in rodents via the oral route (EU B.26/OECD 408) with the following justification: *the toxic effects seen at 250 mg/kg in mated group 4 animals were not reversible after a 16 day recovery period without dosing in the unmated group 6 satellite animals. On the basis of the effects observed in all dose groups in the OECD 422 screening test, a test proposal for a 90 day repeated dose toxicity test in rats is added (OECD 408). This test will be performed after approval of the ECHA. Suggested test doses are 0 (vehicle control), 5, 10 and 25, 50 mg/kg bw/day.*

ECHA has examined this testing proposal considering all the relevant and available data in the technical dossier and the information submitted by third parties during the public consultation. ECHA considers that the proposed study is appropriate to fulfil the information requirement of Annex IX, Section 8.6.2. of the REACH Regulation.

The Registrant proposed testing by the oral route. In light of the physico-chemical properties of the substance being a liquid with low vapour pressure and classified as corrosive to the skin (severe) and damaging to the eyes (serious) and the information provided on the uses and human exposure ECHA considers that testing by the oral route is most appropriate. The Registrant does notify of an industrial spraying use but given the severe corrosive effects to skin and eyes it is most appropriate for administration via the oral route.

The Registrant did not specify the species to be used for testing. According to the test method EU B.26/OECD 408 the rat is the preferred species. ECHA considers this species as being appropriate and testing should be performed with the rat.

b) Consideration of the information received during third party consultation

ECHA has received third party information concerning the testing proposal during the third party consultation.

A third party indicated that *"the Registrant has classified for specific target organ toxicity following repeated exposure (STOT RE1) according to Regulation 1272/2008, and T, R48/25 pursuant to Directive 67/548. According to the third party, the proposed 90-day repeated dose toxicity study is legally not mandatory as the information requirements can be adapted in accordance with Annex IX to Regulation 1907/2006."*

ECHA notes that it is the Registrant's responsibility to consider and justify in the registration dossier any adaptation of the information requirements in accordance with Annex IX, Section 8.6.2., column 2, first indent. This adaptation specifies that a sub-chronic toxicity study (90-day) does not need to be conducted if *"a reliable short-term toxicity study (28 days) is available showing severe toxicity effects according to the criteria for classifying the substance as R48, for which the observed NOAEL-28 days, with the application of an appropriate uncertainty factor, allows the extrapolation towards the NOAEL-90 days for the same route of exposure."* ECHA notes that the Registrant has self-classified the substance as STOT RE 1 (H372; CLP) and R48/25 (DSD). However, in the CSR the Registrant has justified the proposal for a sub-chronic toxicity study (90-day) with the argument that effects were observed in all dose groups. Consequently, ECHA notes that a NOAEL could not be derived on which extrapolation towards a NOAEL for 90-day could be performed. Therefore, the criteria listed in Annex IX, Section 8.6.2., column 2, first indent are not met and the information requirement for the sub-chronic toxicity study (90-day) cannot be adapted on this basis.

c) Outcome

Therefore, pursuant to Article 40(3)(a) of the REACH Regulation, the Registrant is 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 408)

IV. Adequate identification of the composition of the tested material

It is important to ensure that the particular sample of substance tested in the new study 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. If the registration of the substance covers different grades, the sample used for the new study must be suitable to assess these. It is noted the registered substance is a mixture of optical isomers and the sample of the substance to be tested should be representative of the manufactured mixture of these optical isomers.

Furthermore, there must be adequate information on substance identity for the sample tested and the grade(s) registered to enable the relevance of the study to be assessed.

V. Information on right to appeal

An appeal may be brought against this decision to the Board of Appeal of ECHA under Article 51(8) of the REACH Regulation. Such appeal shall be lodged within three months of receiving notification of this decision. Further information on the appeal procedure can be found on the ECHA's internet page at http://echa.europa.eu/regulations/appeals. The notice of appeal will be deemed to be filed only when the appeal fee has been paid.

Leena Ylä-Mononen
Director of Evaluation