Helsinki, 4 July 2019

Addressee: [redacted]

Decision number: TPE-D-2114465593-41-01/F
Substance name: Ethane- 1,2-diol, propoxylated
EC number: 500-078-0
CAS number: 31923-84-9
Registration number: [redacted]
Submission number: [redacted]
Submission date: 14/06/2018
Registered tonnage band: Over 1000

DECISION ON A TESTING PROPOSAL

Based on Article 40 of Regulation ((EC) No 1907/2006) (the REACH Regulation), ECHA examined your testing proposal(s) and decided as follows

While your originally proposed test for Sub-chronic toxicity study (90-day), oral route (OECD TG 409) using the registered substance is rejected, you are requested to perform:

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

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

2. **Pre-natal developmental toxicity study (Annex X, Section 8.7.2.; test method: OECD TG 414) in a second species (rabbit), oral route using the registered substance.**

You are required to submit the requested information in an updated registration dossier by **12 July 2021** except for the information requested under point 1 for a Sub-chronic toxicity study (90-day) which shall be submitted in an updated registration dossier by **11 January 2021**. You shall also update the chemical safety report, where relevant. The timeline has been set to allow for sequential testing.

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

This decision does not address the information requirement of the Extended one-generation reproductive toxicity study according to Annex X, Section 8.7.3. of the REACH Regulation. The results of the Sub-chronic toxicity study (90-day) will be used, among other relevant information, to decide on the study design of the Extended one generation reproductive toxicity study. Therefore, your testing proposal for Extended one-generation reproductive toxicity study will be addressed after having received the results of the 90-day.

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, has to 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[1] by Wim De Coen, Head of Unit, Hazard Assessment.

[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

The decision of ECHA is based on the examination of the testing proposals submitted by you and scientific information submitted by third parties.

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

Pursuant to Article 40(3)(d) and (c) of the REACH Regulation, ECHA may reject a proposed test and require the Registrant to carry out other tests in cases of non-compliance of the testing proposal with Annexes IX, X or XI.

a) 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 OECD TG 409.

ECHA requested your considerations for alternative methods to fulfil the information requirement for Sub-chronic toxicity (90-day): oral. ECHA notes that you provided your considerations concluding that there were no alternative methods which could be used to adapt the information requirement(s) for which testing is proposed. ECHA has taken these considerations into account.

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 6.0, July 2017) Chapter R.7a, Section R.7.5.4.3 - is the most appropriate route of administration. More specifically, even though the information indicates that human exposure to the registered substance by the inhalation route is likely, there is no concern for severe local effects following inhalation exposure. Furthermore, ECHA points out that no repeated dose toxicity study by the oral route is available. Hence, the test shall be performed by the oral route.

Therefore, ECHA considers that a study performed by the oral route with the registered substance is appropriate to fulfil the information requirement of Annex IX, Section 8.6.2. of the REACH Regulation.

You proposed testing in rats according to the test method OECD TG 409. That test method is however meant for tests performed with non-rodent species. According to the test method OECD TG 408 the rat is the preferred species. ECHA considers this species as being appropriate and testing should be performed with the rat according to the test method OECD TG 408.

b) Consideration of the information received during third party consultation

ECHA received third party information concerning the testing proposal during the third party consultation. For the reasons explained further below the information provided by third parties is not sufficient to fulfil this information requirement.

Third party information 1: The third party has indicated that the studies should be performed in a step-wise manner to avoid unnecessary testing. ECHA agrees with the comment and the timeline has been set to allow for sequential testing for the Sub-chronic toxicity study (90-day) and the Pre-natal developmental toxicity study. In addition, the testing proposal for Extended one-generation reproductive toxicity study will be addressed only after having received the results of the Sub-chronic toxicity study (90-day).

Third party information 2: The third party has indicated "*The substance Ethane- 1,2-diol, propoxylated (EC 500-078-0) is part of a broader category.*
The justification for applying the results of the proposed testing to other category members by using read-across is included in the dossier. This justification is currently being strengthened further by the NLP Polyols Consortium, by generating additional experimental metabolism data on the individual substances. This work is estimated to be completed in 2020. Once this additional information becomes available, it will be incorporated into the dossier."
ECHA notes that it is your responsibility to consider and justify any adaptation of the information requirements in accordance with the relevant conditions as established in Annex XI, Section 1.5. Therefore, you may assess whether you can justify a read-across as suggested by the third party, for the broader category. If an information requirement can be met by way of adaptation, you may include the adaptation argument with all necessary documentation according to Annex XI, Section 1.5 in the relevant updated registration(s).

c) Outcome

In your comments on the draft decision, you agreed to perform the requested test.

Therefore, pursuant to Article 40(3)(c) of the REACH Regulation, you are requested to carry out a study with the registered substance subject to the present decision: Sub-chronic toxicity study (90-day) in rats, oral route (test method: OECD TG 408) while your originally proposed test for Sub-chronic toxicity study (90-day) in rats, oral route (test method: OECD TG 409) with the registered substance is rejected according to Article 40(3)(d) of the REACH Regulation.

Notes for your considerations:

You submitted a testing proposal for an Extended one-generation reproductive toxicity study (Annex X, 8.7.3.). However, this testing proposal is not addressed in this decision because the results of the Sub-chronic toxicity study (90-day) are considered crucial to inform on the study design of the Extended one-generation reproductive toxicity study. Therefore, you are required to perform the Sub-chronic toxicity study (90-day) first, and submit the results by the deadline indicated above.

Together with providing the results for the requested Sub-chronic toxicity study (90-day), you may also consider updating your testing proposal for the Extended one-generation reproductive toxicity study.

The updated testing proposal should include a justification for the design of the Extended one-generation reproductive toxicity study following ECHA *Guidance on information requirements and chemical safety assessment* Chapter R.7a, Section R.7.6 (version 6.0, July 2017), taking into account the results of the Sub-chronic toxicity study (90-day).

2. Pre-natal developmental toxicity study (Annex X, Section 8.7.2.) in a second species

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

a) Examination of the testing proposal

Pre-natal developmental toxicity studies on two species are part of the standard information requirements for substance registered for 1000 tonnes or more per year (Annex IX, Section 8.7.2., column 1, Annex X, Section 8.7.2., column 1, and sentence 2 of introductory paragraph 2 of Annex X of the REACH Regulation).

The dossier contains a pre-natal developmental toxicity study in rats as first species. However, there is no information available for a pre-natal developmental toxicity study in a second species. Consequently there is an information gap for Annex X, Section 8.7.2. and it is necessary to provide information for this endpoint.

You have submitted a testing proposal for a pre-natal developmental toxicity study in a second species (rabbits) according to OECD TG 414 by the oral route.

ECHA requested your considerations for alternative methods to fulfil the information requirement for Reproductive toxicity (pre-natal developmental toxicity). ECHA notes that you provided your considerations concluding that there were no alternative methods which could be used to adapt the information requirement(s) for which testing is proposed. ECHA has taken these considerations into account.

ECHA considers that the proposed study is appropriate to fulfil the information requirement of Annex X, Section 8.7.2. of the REACH Regulation.

You proposed testing with the rabbit as a second species. The test in the first species was carried out with rats. According to the test method OECD 414, the rat is the preferred rodent species and the rabbit the preferred non-rodent species. On the basis of this default consideration, ECHA considers testing should be performed with the rabbit as a second species.

You proposed testing by the oral route.

ECHA agrees that the oral route is the most appropriate route of administration for substances except gases to focus on the detection of hazardous properties on reproduction as indicated in ECHA *Guidance on information requirements and chemical safety assessment* (version 6.0, July 2017) Chapter R.7a, Section R.7.6.2.3.2. Since the substance to be tested is a liquid, ECHA concludes that testing should be performed by the oral route.

b) Consideration of the information received during third party consultation]

ECHA received third party information concerning the testing proposal during the third party consultation. For the reasons explained further below the information provided by third parties is not sufficient to fulfil this information requirement.

Third party information 1: As already discussed under point 1.b) above, ECHA received third party information concerning the testing proposal during the third party consultation, which relates to a step-wise approach to the prenatal developmental toxicity tests in the two

species. This information is not sufficient to fulfil this information requirement, but ECHA points out that the deadlines set by this decision allows for sequential testing.

Third party information 2: The third party has indicated "*The substance Ethane- 1,2-diol, propoxylated (EC 500-078-0) is part of a broader category.*
The justification for applying the results of the proposed testing to other category members by using read-across is included in the dossier. This justification is currently being strengthened further by the NLP Polyols Consortium, by generating additional experimental metabolism data on the individual substances. This work is estimated to be completed in 2020. Once this additional information becomes available, it will be incorporated into the dossier."

ECHA notes that it is your responsibility to consider and justify any adaptation of the information requirements in accordance with the relevant conditions as established in Annex XI, Section 1.5. Therefore, you may assess whether you can justify a read-across as suggested by the third party, for the broader category. If an information requirement can be met by way of adaptation, you may include the adaptation argument with all necessary documentation according to Annex XI, Section 1.5 in the relevant updated registration(s).

c) Outcome

In your comments on the draft decision, you agreed to perform the requested test.

Therefore, pursuant to Article 40(3)(a) of the REACH Regulation, you are thus requested to carry out the proposed study with the registered substance subject to the present decision: Pre-natal developmental toxicity study in a second species (rabbit), oral route (test method: OECD TG 414).

d) *Notes for your consideration*

For the selection of the appropriate species you are advised to consult ECHA *Guidance on information requirements and chemical safety assessment* (version 6.0, July 2017), Chapter R.7a, Section R.7.6.2.3.2.

Deadline to submit the requested information

In the draft decision communicated to you, the time indicated to provide the requested information was 12 months from the date of adoption of the decision. In your comments on the draft decision, you requested an extension of the timeline to 18 months. You sought to justify this request by explaining that the time span of 12 months for conducting a sub-chronic toxicity study (90-day), oral route (OECD TG 408) is rather challenging and a 18-month time line for the sub-chronic toxicity study would be more adequate. You included proposals from two testing laboratories, presenting their study schedules. ECHA has evaluated your request and the proposals from the laboratories and considers your justifications acceptable. Therefore, ECHA has granted the request and set the deadline to 18 months for this specific test.

Appendix 2: Procedural history

ECHA received your registration containing the testing proposals for examination in accordance with Article 40(1) on 14 June 2018.

ECHA held a third party consultation for the testing proposals from 5 July 2018 until 20 August 2018. ECHA received information from third parties (see Appendix 1).

This decision does not take into account any updates after **7 November 2018**, 30 calendar days after the end of the commenting period.

The decision making followed the procedure of Articles 50 and 51 of the REACH Regulation, as described below:

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

ECHA took into account your comments and amended the deadline.

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

As no amendments were proposed, ECHA took the decision according to Article 51(3) of the REACH Regulation.

Appendix 3: Further information, observations and technical guidance

1. This decision does not imply that the information provided in your 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 requests in this decision 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 tests 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 tests 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 tests must be suitable to assess these grades. Finally there must be adequate information on substance identity for the sample tested and the grades registered to enable the relevance of the tests to be assessed.