ECHA
EUROPEAN CHEMICALS AGENCY

Decision number: CCH-D-0000003619-66-03/F Helsinki, 13 December 2013

DECISION ON A COMPLIANCE CHECK OF A REGISTRATION PURSUANT TO ARTICLE 41(3) OF REGULATION (EC) NO 1907/2006

For 1-(2-hydroxy-5-nonyl(branched)-phenyl)ethanone oxime, CAS No 244235-47-0 (EC No 627-083-1), 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 41(1) of the REACH Regulation ECHA has performed a compliance check of the registration for 1-(2-hydroxy-5-nonyl(branched)-phenyl)ethanone oxime, CAS No 244235-47-0 (EC No 627-083-1), submitted by [redacted] (Registrant). The scope of this compliance check is limited to the standard information requirement of Annex VII, Section 7.7 of the REACH Regulation.

This decision is based on the registration as submitted with submission number [redacted], for the tonnage band of 1000 tonnes or more per year. This decision does not take into account any updates submitted after 5 September 2013, 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 compliance check decision does not prevent ECHA from initiating further compliance checks on the present registration at a later stage.

The compliance check was initiated on 5 April 2013.

On 5 June 2013 ECHA sent the draft decision to the Registrant and invited him to provide comments within 30 days of the receipt of the draft decision. That draft decision was based on submission number [redacted]

By 6 July 2013 the Registrant did not provide any comments on the draft decision to ECHA.

On 5 September 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 to amend the draft decision within 30 days of the receipt of the notification.

Subsequently, Competent Authorities of the Member States did not propose amendments to the draft decision and ECHA took the decision pursuant to Article 51(3) of the REACH Regulation.

II. Information required

Pursuant to Articles 41(1), 41(3), 10(a)(vi), 12(1)(e), 13 and Annex VII of the REACH Regulation the Registrant shall submit the following information for the registered substance subject to the present decision using an appropriate test method:

- Water solubility (Annex VII, 7.7.).

Pursuant to Article 41(4) of the REACH Regulation the Registrant shall submit the information in the form of an updated IUCLID dossier to ECHA by **13 June 2014.**

III. Statement of reasons

Pursuant to Article 41(3) of the REACH Regulation, ECHA may require the Registrant to submit any information needed to bring the registration into compliance with the relevant information requirement. The scope of the present decision is the water solubility (Section 7.7. of Annex VII of the REACH Regulation). In accordance with Articles 10(a)(vi) and 12(1) of the REACH Regulation, any registration for a substance shall contain this information.

Instead of a value for the water solubility an unbound range of < 0.1 mg/L has been reported in the technical dossier. The selection of this unbound range is not sufficiently justified in the registration dossier. As no lower limit was indicated, and there was not a distinct, well justified, value or range that is adequate for risk assessment, the information provided cannot be considered as a value for the water solubility. The Registrant is therefore requested to submit information on the water solubility value using an appropriate test method and the registered substance.

Guidance for determining appropriate test methods for the water solubility is available in ECHA's Guidance on information requirements and chemical safety assessment, Chapter R.7(a), section R.7.1.7. (pages 46 to 53, Version of November 2012).

IV. Adequate identification of the composition of the tested material

ECHA stresses that the information submitted for identifying the substance has not been checked for compliance with the substance identity requirements set out in Section 2 of Annex VI of the REACH Regulation.

In carrying out the study required by the present decision it is important to ensure that the particular sample of substance tested 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.

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 an appeal shall be lodged within three months of receiving notification of this decision. Further information on the appeal procedure can be found on ECHA's internet page at http://echa.europa.eu/appeals/app_procedure_en.asp. The notice of appeal will be deemed to be filed only when the appeal fee has been paid.

[redacted]
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Director of Evaluation