

Helsinki, 11 March 2021

**Addressees**

Registrants of JS\_944-813-7 listed in the last Appendix of this decision

**Date of submission of the dossier subject of a decision**

23/03/2020

**Registered substance subject to this decision, hereafter 'the Substance'**

Substance name: Alkanoic acid and polyoxomolybdate borate alkanoate clusters

EC number: 944-813-7

CAS number: NS

**Decision number:** Please refer to the REACH-IT message which delivered this communication (in format TPE-D-XXXXXXXXXX-XX-XX/F)**DECISION ON TESTING PROPOSAL(S)**

Based on Article 40 of Regulation (EC) No 1907/2006 (REACH), you must submit the information listed below by **19 September 2022**.

The requested information must be generated using the Substance unless otherwise specified.

**A. Information required from the Registrants subject to Annex VIII of REACH**

1. In vivo mammalian alkaline comet assay (Annex VIII, Section 8.4., column 2; test method: OECD 489) combined with in vivo mammalian erythrocyte micronucleus test (Annex VIII, Section 8.4., column 2; test method EU B.12./OECD 474), in rats, oral route. For the comet assay, liver, and glandular stomach and duodenum shall be analysed, for the micronucleus test, the bone marrow.

Reasons for the request(s) are explained in the following appendix:

- Appendix entitled "Reasons to request information required under Annex VIII of REACH".

**Information required depends on your tonnage band**

You must provide the information listed above for all REACH Annexes applicable to you, and in accordance with Articles 10(a) and 12(1) of REACH:

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

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 testing and reporting requirements provided under the Appendix entitled "Requirements to fulfil when conducting and reporting new tests for REACH purposes". For references used in this decision, please consult the Appendix entitled "List of references".

### **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>.

Approved<sup>1</sup> under the authority of Christel Schilliger-Musset, Director of Hazard Assessment

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<sup>1</sup> 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 A: Reasons to request information required under Annex VIII of REACH**

This decision is based on the examination of the testing proposals you submitted.

**1. In vivo mammalian alkaline comet assay combined with In vivo mammalian erythrocyte micronucleus test**

Appropriate *in vivo* mutagenicity studies must be considered under Annex VIII to REACH (Section 8.4., Column 2) in case of a positive result in any of the *in vitro* genotoxicity studies under Annex VII or VIII to REACH.

Your dossier contains positive results for the *in vitro* cytogenicity tests and *in vitro* gene mutation study in mammalian cells which raise the concerns for gene mutations and chromosomal aberrations

*1.1. Information provided to fulfil the information requirement*

You have submitted a testing proposal for an *In vivo* mammalian alkaline comet assay combined with *In vivo* mammalian erythrocyte micronucleus test to be performed with the Substance. In your reasoning, you indicate to combine the *in vivo* mammalian alkaline comet assay with an *in vivo* mammalian erythrocyte micronucleus test to be performed with the Substance.

ECHA requested your considerations for alternative methods to fulfil the information requirement for Genetic toxicity *in vivo*. 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 agrees that an appropriate *in vivo* follow up genotoxicity study is necessary to address the concern identified *in vitro*.

*1.2. Test selection*

The positive *in vitro* results available in the dossier indicate a concern for both chromosomal aberration and gene mutation. According to the ECHA Guidance R.7a, Section R.7.7.6.3, the *in vivo* mammalian alkaline comet assay ("comet assay", OECD TG 489) is a suitable test to follow up the positive *in vitro* result for chromosomal aberration and gene mutation. However, only the *in vivo* mammalian erythrocyte micronucleus test ("MN test", OECD TG 474) can be used directly for providing evidence of *in vivo* chromosomal mutagenicity, as the study detects both structural and numerical chromosomal aberrations. As indicated in the ECHA Guidance, it is possible to combine the comet assay and the MN test into a single study. The combination study can help reduce the number of tests performed and the number of animals used while providing useful information on the potential of the Substance to induce chromosomal aberration and gene mutation. Therefore, the comet assay combined with the MN test is the most appropriate study for the Substance.

*1.3. Specification of the study design*

You proposed testing in the rat. According to the test method OECD TG 489, the test must be performed in rats. Therefore, the combined test (OECD TG 489 and OECD TG 474) must be performed in rats.

You proposed testing by the oral route. Having considered the anticipated routes of human exposure and adequate exposure of the target tissue(s) performance of the test by the oral route is appropriate.

The combination of OECD TGs 489 and 474 should not impair the validity of and the results from each individual study. Careful consideration should be given to the dosing, and tissue sampling for the comet analysis alongside the requirements of tissue sampling for the mammalian erythrocyte micronucleus test (see OECD TG 489, e.g. Bowen *et al.* 2011 [1]).

In line with the test method OECD TG 489, the test must be performed by analysing tissues from liver as primary site of xenobiotic metabolism, glandular stomach and duodenum as sites of contact. There are several expected or possible variables between the glandular stomach and the duodenum (different tissue structure and function, different pH conditions, variable physico-chemical properties and fate of the Substance, and probable different local absorption rates of the Substance and its possible breakdown product(s)). In light of these expected or possible variables, it is necessary to analyse both tissues to ensure a sufficient evaluation of the potential for genotoxicity at the site of contact in the gastro-intestinal tract.

#### *Germ cells*

You may consider to collect the male gonadal cells from the seminiferous tubules in addition to the other aforementioned tissues in the comet assay, as it would optimise the use of animals. You can prepare the slides for male gonadal cells and store them for up to 2 months, at room temperature, in dry conditions and protected from light. Following the generation and analysis of data on somatic cells in the comet assay, you should consider analysing the slides prepared with gonadal cells.

This type of evidence may be relevant for the overall assessment of possible germ cell mutagenicity including classification and labelling according to the CLP Regulation.

#### *Potential Cross-linking properties*

You are reminded that you may decide to take into account potential cross-linking properties of the Substance in the experimental setup of the comet assay and perform a modified comet assay in order to detect cross links. Therefore, you may consider preparing and analysing two sets of slides: one set of slides submitted to the standard experimental conditions (as described in OECD TG 489); the other set of slides submitted to modified experimental conditions that enable the detection of DNA. The modified experimental conditions may utilise one of the following options: (1) increase of electrophoresis time, e.g. as described in reference 23 [2] in the OECD TG 489; (2) treatment of isolated cells (either in suspension or embedded in the slides) with a chemical (e.g. MMS); or (3) treatment of isolated cells (either in suspension or embedded in the slides) with ionising radiation (options 2 and 3 are described e.g. in references 36-39 [3-6] in the OECD TG 489 or Pant *et al.* 2015 [7]). In order to ensure the robustness of the test result a specific positive control group of animals would be needed.

#### References

- [1] Bowen DE *et al.* (2011) Evaluation of a multi-endpoint assay in rats, combining the bone-marrow micronucleus test, the comet assay and the flow-cytometric peripheral blood micronucleus test. *Muta. Res.*;722:7–19.
- [2] Nesslany *et al.* (2007) In vivo comet assay on isolated kidney cells to distinguish genotoxic carcinogens from epigenetic carcinogens or cytotoxic compounds *Mutat Res*;630(1-2):28-41.
- [3] Merk and Speit (1999) Detection of crosslinks with the comet assay in relationship to genotoxicity and cytotoxicity. *Environ Mol Mutagen*;33(2):167-72.
- [4] Pfuhrer and Wolf (1996) Detection of DNA-crosslinking agents with the alkaline comet assay. *Environ Mol Mutagen*;27(3):196-201.

- [5] Wu and Jones (2012) Assessment of DNA interstrand crosslinks using the modified alkaline comet assay. *Methods Mol Biol*;817:165-81.
- [6] Spanswick *et al.* (2010) Measurement of DNA interstrand crosslinking in individual cells using the Single Cell Gel Electrophoresis (Comet) assay. *Methods Mol Biol*;613:267-282.
- [7] Pant K *et al.* (2015) Modified *in vivo* comet assay detects the genotoxic potential of 14-hydroxycodone, an  $\alpha,\beta$  -unsaturated ketone in oxycodone. *Environ Mol Mutagen*;56(9):777-87.

#### 1.4. Outcome

Your testing proposal is accepted under Article 40(3)(a) and you are requested to conduct the test with the Substance, as specified above.

## **Appendix B: Requirements to fulfil when conducting and reporting new tests for REACH purposes**

### **A. 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 summaries<sup>2</sup>.

### **B. 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 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.

Technical instructions on how to report the above is available in the manual on How to prepare registration and PPORD dossiers<sup>3</sup>.

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

<sup>3</sup> <https://echa.europa.eu/manuals>

### **Appendix C: Procedure**

ECHA received your testing proposal(s) on 12 May 2020 and started the testing proposal evaluation in accordance with Article 40(1).

ECHA held a third party consultation for the testing proposal(s) from 24 August 2020 until 8 October 2020. ECHA did not receive information from third parties.

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

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

ECHA did not receive any comments within the notification period.

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.

**Appendix D: List of references - ECHA Guidance<sup>4</sup> and other supporting documents**Evaluation of available information

Guidance on information requirements and chemical safety assessment, Chapter R.4 (version 1.1., December 2011), referred to as ECHA Guidance R.4 where relevant.

QSARs, read-across and grouping

Guidance on information requirements and chemical safety assessment, Chapter R.6 (version 1.0, May 2008), referred to as ECHA Guidance R.6 where relevant.

Read-across assessment framework (RAAF, March 2017)<sup>5</sup>

RAAF - considerations on multi-constituent substances and UVCBs (RAAF UVCB, March 2017)

Physical-chemical properties

Guidance on information requirements and chemical safety assessment, Chapter R.7a (version 6.0, July 2017), referred to as ECHA Guidance R.7a in this decision.

Toxicology

Guidance on information requirements and chemical safety assessment, Chapter R.7a (version 6.0, July 2017), referred to as ECHA Guidance R.7a in this decision.

Guidance on information requirements and chemical safety assessment, Chapter R.7c (version 3.0, June 2017), referred to as ECHA Guidance R.7c in this decision.

Environmental toxicology and fate

Guidance on information requirements and chemical safety assessment, Chapter R.7a (version 6.0, July 2017), referred to as ECHA Guidance R.7a in this decision.

Guidance on information requirements and chemical safety assessment, Chapter R.7b (version 4.0, June 2017), referred to as ECHA Guidance R.7b in this decision.

Guidance on information requirements and chemical safety assessment, Chapter R.7c (version 3.0, June 2017), referred to as ECHA Guidance R.7c in this decision.

PBT assessment

Guidance on information requirements and chemical safety assessment, Chapter R.11 (version 3.0, June 2017), referred to as ECHA Guidance R.11 in this decision.

Guidance on information requirements and chemical safety assessment, Chapter R.16 (version 3.0, February 2016), referred to as ECHA Guidance R.16 in this decision.

Data sharing

Guidance on data-sharing (version 3.1, January 2017), referred to as ECHA Guidance on data sharing in this decision.

OECD Guidance documents<sup>6</sup>

<sup>4</sup> <https://echa.europa.eu/guidance-documents/guidance-on-information-requirements-and-chemical-safety-assessment>

<sup>5</sup> <https://echa.europa.eu/support/registration/how-to-avoid-unnecessary-testing-on-animals/grouping-of-substances-and-read-across>

<sup>6</sup> <http://www.oecd.org/chemicalsafety/testing/series-testing-assessment-publications-number.htm>



Guidance Document on aqueous-phase aquatic toxicity testing of difficult test chemicals – No 23, referred to as OECD GD 23.

Guidance document on transformation/dissolution of metals and metal compounds in aqueous media – No 29, referred to as OECD GD 29.

Guidance Document on Standardised Test Guidelines for Evaluating Chemicals for Endocrine Disruption – No 150, referred to as OECD GD 150.

Guidance Document supporting OECD test guideline 443 on the extended one-generation reproductive toxicity test – No 151, referred to as OECD GD 151.

**Appendix E: Addressees of this decision and the corresponding information requirements applicable to them**

You must provide the information requested in this decision for all REACH Annexes applicable to you.

<b>Registrant Name</b>	<b>Registration number</b>	<b>Highest REACH Annex applicable to you</b>
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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.