

Decision number: TPE-D-0000002110-95-03/F

Helsinki, 19 March 2012

**DECISION ON A TESTING PROPOSAL SET OUT IN A REGISTRATION
PURSUANT TO ARTICLE 40(3) OF REGULATION (EC) NO 1907/2006****For 101 Triallyl cyanurate (TAC), CAS 101-37-1 (EC No 202-936-7),
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 testing proposals set out in the registration dossier for 101 Triallyl cyanurate (TAC), CAS 101-37-1 (EC No 202-936-7), submitted by [REDACTED] (Registrant), latest submission number [REDACTED], for 100 to 1000 tonnes per year.

In accordance with Articles 10(a)(ix) and 12(1)(d) of the REACH Regulation, the Registrant submitted the following testing proposals as part of the jointly submitted registration dossier to fulfil the information requirements set out in Annex IX:

- 90-day subchronic toxicity study (OECD 408), rat, oral route (Annex IX, 8.6.2);
- Developmental toxicity / teratogenicity study (OECD 414), rat, oral route (Annex IX, 8.7.2).

The examination of the testing proposals was initiated on 12 October 2010.

ECHA opened a third party consultation for the testing proposals including testing on vertebrate animals that was held from 15 April until 30 May 2011. ECHA did not receive information from third parties.

On 23 November 2011 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 23 December 2011 ECHA received comments from the Registrant agreeing to ECHA's draft decision.

ECHA considered the Registrant's comments received and did not amend the draft decision.

On 20 January 2012 ECHA notified the Competent Authorities of the Member States on 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.

This decision does not imply that the information provided by the Registrant in his registration dossier is in compliance with the requirements of the REACH Regulation. The decision does not prevent ECHA to initiate a compliance check on the present dossier at a later stage.

II. Testing required

Pursuant to Article 40(3)(a) of the REACH Regulation, the Registrant shall carry out the following proposed tests using the indicated test methods using the registered substance:

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

Pre-natal developmental toxicity study in rats, oral route (Annex IX, 8.7.2., test method: EU B.31/OECD 414).

The Registrant shall determine the appropriate order of the studies taking into account the possible outcomes and considering the possibilities for adaptations of the standard information requirements according to column 1 or 2 provisions of the relevant Annexes of the REACH Regulation.

Pursuant to Articles 40(4) and 22 of the REACH Regulation, the Registrant shall submit to ECHA by **19 March 2014** an update of the registration dossier containing the information required by this decision.

At any time, the Registrant shall take into account that there may be an obligation to make every effort to agree on sharing of information and costs with other Registrants.

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

1. Subchronic toxicity study (90 day)

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 generate the data for this endpoint.

The Registrant proposed testing by the oral route. In light of the physico-chemical properties of the substance and the information provided on the uses and human exposure, ECHA considers that testing by the oral route is appropriate.

Therefore, pursuant to Article 40(3)(a) of the REACH Regulation, the Registrant is required to carry out the proposed study: Sub-chronic toxicity study (90-day) in rats, oral route (test method: EU B.26/OECD 408) using the registered substance.

2. Pre-natal developmental toxicity

A pre-natal developmental toxicity study for a first species is a standard information requirement as laid down in Annex IX, section 8.7.2. 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 generate the data for this endpoint.

The Registrant proposed testing by the oral route. In light of the physico-chemical properties of the substance and the information provided on the uses and human exposure, ECHA considers that testing by the oral route is appropriate. According to the test method EU B.31/OECD 414, the rat is the preferred rodent species, the rabbit the preferred non-rodent species and the test substance is usually administered orally. ECHA considers these default parameters appropriate and testing should be performed by the oral route with the rat as a first species to be used.

Therefore, pursuant to Article 40(3)(a) of the REACH Regulation, the Registrant is required to carry out the proposed study: Pre-natal developmental toxicity study in rats, oral route (test method: EU B.31/OECD 414) using the registered substance.

IV. Adequate identification of the composition of the tested material

The process of evaluation of testing proposals set out in Article 40 of the REACH Regulation aims at ensuring that the generation of information is tailored to real information needs in order to prevent unnecessary testing. The information submitted in the registration dossier was sufficient to confirm the identity of the substance for the purpose of assessing the testing proposal. It is noted, however, that this information, or the information submitted by other registrants of the same 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 relation to the proposed tests, the sample of substance used for the new studies must be suitable for use by all the joint registrants. Hence, the sample should have a composition that is within the specifications of the substance composition that are given by the joint registrants. It is the responsibility of all the joint registrants of the same substance to agree with the tests proposed in the testing proposal (as applicable to their tonnage level) and to document the necessary information on its composition. The substance identity information of the registered substance and of the sample tested must enable ECHA to confirm the relevance of the testing for the substance actually registered by each joint registrant. Finally, the studies must be shared by the joint registrants concerned.

V. General requirements for the generation of information and Good Laboratory Practice

ECHA always reminds registrants of the requirements of Article 13(4) of the REACH Regulation that ecotoxicological and toxicological tests and analyses shall be carried out in compliance with the principles of good laboratory practice (GLP). National authorities monitoring GLP maintain lists of test facilities indicating the relevant areas of expertise of each facility.

According to Article 13(3) of the REACH Regulation, tests that are required to generate information on intrinsic properties of substances shall be conducted in accordance with the test methods laid down in a Commission Regulation or in accordance with other international test methods recognised by the Commission or the European Chemicals Agency as being appropriate. Thus, the Registrant shall refer to Commission Regulation (EC) No 440/2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 as adapted to technical progress or to other international test methods recognised as being appropriate and use the applicable test methods to generate the information on the endpoints indicated above.

VI. 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/appeals/app_procedure_en.asp. The notice of appeal will be deemed to be filed only when the appeal fee has been paid.



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