EUROPEAN CHEMICALS AGENCY

Helsinki, 28 May 2018

Addressee: [redacted]

Decision number: CCH-D-2114394755-33-01/F
Substance name: Methacrylamide
EC number: 201-202-3
CAS number: 79-39-0
Registration number: [redacted]
Submission number: [redacted]
Submission date: 22/09/2015
Registered tonnage band: Over 1000

DECISION ON A COMPLIANCE CHECK

Based on Article 41 of Regulation (EC) No 1907/2006 (the REACH Regulation), ECHA requests you to submit information on:

Pre-natal developmental toxicity study (Annex X, Section 8.7.2.; test method: EU B.31./OECD TG 414) in a second species (rabbit), oral route with the registered substance;

You 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 to the REACH Regulation. To ensure compliance with the respective information requirement, any such adaptation will need to have a scientific justification, referring and conforming to the appropriate rules in the respective annex, and adequate and reliable documentation.

You have to submit the requested information in an updated registration dossier by **8 March 2021**. You also have to update the chemical safety report, where relevant.

The timeline has been set to allow for sequential testing of the requests identified and notified to you in a separate substance evaluation decision on on the registered substance (Methacrylamide) of **28 May 2018 (communication number SEV-D-2114409405-56-01/F)** and of the requests in this decision.

The reasons of 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.

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 **Claudio Carlon**, Head of Unit, Evaluation **E2**

[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.

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Appendix 1: Reasons

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

In accordance with Articles 10(a) and 12(1) of the REACH Regulation, a technical dossier registered at more than 1000 tonnes per year must contain, as a minimum, the information specified in Annexes VII to X to the REACH Regulation. The information to be generated for the dossier must fulfil the criteria in Article 13(4) of the same regulation.

Pre-natal developmental toxicity studies (test method EU B.31./OECD TG 414) on two species are part of the standard information requirements for a 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 technical dossier contains information on a pre-natal developmental toxicity study in mice by the oral route using the registered substance as test material. You have provided two key studies in mice with the registered substance, and one supporting study with only a summary available, by intra peritoneal application also in mice. One of the key studies was a reproductive assessment continuous breeding protocol (RACB), but the second key study was an equivalent or similar to OECD Guideline 414 (Prenatal Developmental Toxicity Study). The developmental NOAEL in the two key studies provided was approximately 60-70 mg/kg bw/day.

However, there is no information provided for a pre-natal developmental toxicity study in a second species.

The technical dossier does not contain an adaptation in accordance with column 2 of Annex X, Section 8.7.2. or with the general rules of Annex XI for this standard information requirement.

As explained above, the information provided on this endpoint for the registered substance in the technical dossier does not meet the information requirement. Consequently there is an information gap and it is necessary to provide information for this endpoint.

The test in the first species was carried out by using a rodent species (mouse). According to the test method EU B.31./OECD 414, the rabbit is the preferred non-rodent species. On the basis of this default assumption, ECHA considers that the test should be performed with rabbit as a second species.

ECHA considers 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 5.0, December 2016) Chapter R.7a, Section R.7.6.2.3.2. Since the substance to be tested is a soluble solid, ECHA concludes that testing should be performed by the oral route.

Following the commenting period on draft decision you submitted comments related also to a substance evaluation decision for the registered substance (SEV-D-2114360134-59-01/D of 26 April 2017), specifically regarding the need for a developmental neurotoxicity study (DNT), OECD 426 in rats, and the potential problems arising from the parallel requests in two different regulatory processes. The decision making process for the compliance check and substance evaluation decisions has been aligned to allow for sequential testing and this is reflected in the timeline set in this draft decision.

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With regards to the current compliance check decision, you argued that the request for a Pre-natal developmental toxicity study in a second species addresses the same classification endpoint (developmental toxicity) as the request made in the substance evaluation decision for a DNT study in rats (OECD guideline 426). Therefore, you proposed to combine the Pre-natal developmental toxicity study with the DNT study requested in the substance evaluation decision.

However, ECHA firstly notes that the requests made in the two different regulatory processes stem from different reasoning: the request in the substance evaluation decision for a DNT (OECD 426) is based on a concern for neurotoxicity disscussesd in the respective decision, while the request for the 2nd PNDT from the current compliance check decision is due to the second Pre-natal developmental toxicity study being part of the standard information requirements for a 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).

Secondly, as the first Pre-natal developmental toxicity study was performed in rat, the second study needs to be performed in rabbits. However, the DNT study (OECD 426) from the substance evaluation decision is requested in rats. Consequently, it is not possible to combine the studies requested to be performed in different species.

Therefore, pursuant to Article 41(1) and (3) of the REACH Regulation, you are requested to submit the following information derived with the registered substance subject to the present decision: Pre-natal developmental toxicity study (test method: EU B.31./OECD TG 414) in a second species (rabbit) by the oral route.

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Appendix 2: Procedural history

For the purpose of the decision-making, this decision does not take into account any updates of your registration after the date when the draft decision was notified to you under Article 50(1) of the REACH Regulation.

The compliance check was initiated on 2 March 2017.

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. The substance subject to the present decision was listed in the Community rolling action plan (CoRAP) for the start of substance evaluation in 2016. Substance evaluation was started in 2016.

2. This compliance check decision does not prevent ECHA from initiating further compliance checks on the present registration at a later stage.

3. Failure to comply with the requests in this decision, or to otherwise fulfil the information requirements with a valid and documented adaptation, will result in a notification to the enforcement authorities of your Member State.

4. 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.