~~CONFIDENTIAL~~

European Chemicals Agency

Decision number: CCH-D-0000001537-72-04/F Helsinki
Decision date: 1 August 2011

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

For Lanthanum Chloride, CAS 10099-58-8 (EC Nr. 233-237-5), 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 dossier for Lanthanum Chloride, anhydrous, (CAS Nr. 10099-58-8) (EC Nr. 233-237-5) submitted by [redacted], (the "Registrant"), latest submission number [redacted], for 1000 tonnes or more per year.

The compliance check was initiated on 11 November 2010.

On 17 January 2011 ECHA notified the Registrant of its draft decision and invited him pursuant to Article 50(1) of the REACH Regulation to provide comments within 30 days of the receipt of the draft decision.

By 16 February 2011 ECHA did not receive any comments on the draft decision from the Registrant.

On 17 June 2011 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. 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 compliance check decision does not prevent ECHA to initiate further compliance checks on the present dossier at a later stage.

II. Information required

Pursuant to Articles 41(1)(a), 41(3) and 10(a)(ii) as well as Annex VI, Section 2 of the REACH Regulation the registrant shall submit for the registered substance:

The description of the analytical methods or the appropriate bibliographical references for the identification of the substance (Annex VI, 2.3.7.).

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 within **3 months from the date of the decision**.

III. Statement of reasons

Based on the examination of the technical dossier, ECHA concludes that the information therein, submitted by the registrant for registration of the above mentioned substance in accordance with Article 6 of the REACH Regulation, does not comply with the requirements of Article 10 and Annex VI, thereof. Consequently, the registrant is requested to submit the information mentioned above that is needed to bring the registration into compliance with the relevant information requirements.

Missing information related to substance identity

Pursuant to Article 10(a)(ii) and Annex VI, Section 2 of the REACH Regulation, the technical dossier of the registration shall include information on the identity of the substance. Annex VI, Section 2 lists information requirements that shall be sufficient to identify the registered substance.

Annex VI, section 2.3.7. of the REACH Regulation provides for the obligation to submit for the registered substance the description of analytical methods or appropriate bibliographical references for the identification of the substance and, where appropriate, for the identification of impurities and additives. The analytical information provided in the technical dossier is not sufficient to confirm the identity and composition of the substance. Consequently, the registrant is requested to provide a description of the analytical methods that will specifically identify and quantify the main constituent (information on both lanthanum and chloride is needed) and impurities. The description of the analytical methods and the results thereof shall be included in section 1.4 of the substance dataset. The description shall be given in such detail that the method can be reproduced. Such information shall include a detailed experimental protocol.

IV. 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. The procedure is described in the Board of Appeal's "Preliminary instructions to Appellants" that can be found at the ECHA website. 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.

Done at Helsinki,

[redacted]

Geert Dancet
Executive Director