EUROPEAN CHEMICALS AGENCY

Decision number: CCH-D-0000002019-79-11/F Helsinki, 15 October 2013

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

For 4,4'-sulphonyldiphenol, CAS No 80-09-1 (EC No 201-250-5), 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 4,4'-sulphonyldiphenol, CAS No 80-09-1 (EC No 201-250-5) submitted by [redacted] (Registrant). The scope of this compliance check is limited to the standard information requirement of Annex VI, Section 3 of the REACH Regulation.

This decision is based on the registration dossier 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 after 20 June 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 8 February 2013.

On 13 May 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]

On 11 June 2013 ECHA received comments from the Registrant agreeing to ECHA's draft decision.

On 20 June 2013 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, one Competent Authority of a Member State submitted proposals for amendment to the draft decision.

On 26 July 2013 ECHA notified the Registrant of proposals for amendment to the draft decision and invited him pursuant to Article 51(5) of the REACH Regulation to provide comments on those proposals for amendment within 30 days of the receipt of the notification.

ECHA reviewed the proposals for amendment received and did not amend the draft decision.

On 5 August 2013 ECHA referred the draft decision to the Member State Committee.

On 23 August the Registrant submitted comments on the proposals for amendment. Member State Committee took the comments of the Registrant into account.

A unanimous agreement of the Member State Committee on the draft decision was reached on 9 September 2013 in a written procedure launched on 29 August 2013. ECHA took the decision pursuant to Article 51(6) of the REACH Regulation.

II. Information required

Information in the technical dossier related to the manufacture and use(s) of the substance

Pursuant to Articles 41(1)(a), 41(3), 10(a)(iii) and Annex VI, Section 3 of the REACH Regulation the Registrant shall submit the following information for the registered substance subject to the present decision:

- Brief general description of the identified use(s) of the registered substance (Annex VI, section 3.5.).

Pursuant to Article 41(4) of the REACH Regulation the Registrant shall submit the information in the form of an updated registration to ECHA by **15 January 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 requirements.

Information in the technical dossier related to the manufacture and use(s) of the substance

Pursuant to Article 10(a)(iii) of the REACH Regulation the technical dossier shall contain information on the manufacture and use(s) of the substance as specified in Annex VI, Section 3 of the REACH Regulation.

Annex VI, Section 3.5. requires that each Registrant provides a brief general description of the identified use(s) of a registered substance.

The Registrant sought to adapt this standard information requirement by referring to Article 14(1) of the REACH Regulation.

ECHA notes that Article 14 does not allow for an adaptation of the information requirement in Annex VI, section 3.5. Therefore, the Registrant's justification for not providing the information cannot be accepted and the Registrant is requested to provide a brief general description of the identified use(s) of the registered substance and update the technical dossier accordingly. ECHA also notes that the information in the technical dossier and the

Chemical Safety Report must be consistent and that the Registrant should ensure this in updating his registration.

Instructions on how to provide information on identified use(s) of a registered substance can be found in ECHA Guidance on information requirements and chemical safety assessment Part A: Introduction to the Guidance document, section A.2.4.1.2, pp. 18 and 19.

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. 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]
Jukka Malm
Director of Regulatory Affairs