

Helsinki, 18 May 2021

Addressees

Registrant(s) listed in the last Appendix of this decision

Date of submission of the dossier subject to this decision

25/05/2016

Registered substance subject to this decision ("the Substance")

Substance name: 1,2,3-Propanetricarboxylic acid, 2-(1-oxobutoxy)-, 1,2,3-trihexyl ester

EC number: 413-890-4

CAS number: NS

Decision number: Please refer to the REACH-IT message which delivered this communication (in format CCH-D-XXXXXXXXXX-XX-XX/F)**DECISION ON A COMPLIANCE CHECK**Under Article 41 of Regulation (EC) No 1907/2006 (REACH), you must submit the information listed below, by the deadline of **25 May 2022**.

Requested information must be generated using the Substance unless otherwise specified.

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

1. Screening for reproductive/developmental toxicity (Annex VIII, Section 8.7.1.; test method: EU B.63/OECD TG 421 or EU B.64/OECD TG 422) by oral route, in rats

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

- Appendix entitled "Reasons to request information required under Annexes VII to VIII of REACH", respectively.

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.

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, when adopted under Article 51 of REACH, may be appealed to the Board of Appeal of ECHA within three months of its notification to you. Please refer to <http://echa.europa.eu/regulations/appeals> for further information.

Failure to comply

If you do not comply with the information required by this decision by the deadline indicated above, ECHA will notify the enforcement authorities of your Member State.

Authorised¹ under the authority of Christel Schilliger-Musset, Director of Hazard Assessment

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.

Appendix A: Reasons to request information required under Annex VIII of REACH

1. Screening for reproductive/developmental toxicity

A Screening for reproductive/developmental toxicity study (test method: EU B.63/OECD TG 421 or EU B.64/OECD TG 422) is a standard information requirement under Annex VIII to REACH, if there is no evidence from analogue substances, QSAR or in vitro methods that the Substance may be a developmental toxicant. There is no information available in your dossier indicating that your Substance may be a developmental toxicant.

You have provided an oral feeding fertility study in albino rats (██████████ 2007, secondary literature/review). ECHA has assessed this information and considers it has the following shortcomings.

To be considered compliant and to generate information concerning the effects of the Substance on male and female reproductive performance, the study has to meet the requirements of EU B.63/OECD TG 421 or EU B.64/OECD TG 422. The criteria of this test guideline include for example

- a) Testing of at least three dose levels and a concurrent control,
- b) Highest dose level should aim to induce toxic effects,
- c) At least 10 male and 12-13 female animals for each test and control group,
- d) Examination of key parameters for toxicity such as clinical signs/food consumption/thyroid hormone assessment (P0 and F1),
- e) Examination of parameters for sexual function and fertility such as duration of gestation, parturition, lactation and weight and histopathology of reproductive organs and tissues,
- f) Monitoring of oestrus cycles,
- g) Examination of offspring parameters such as /number and sex of pups/stillbirths and live births/gross abnormalities/pup body weight/litter weight/anogenital distance/number of nipples/areolae in male pups.

The study is not performed according to an adequate test method in the meaning of Article 13(3) and GLP. It was conducted with two instead of three dose levels. The highest dose level in the study did not induce any toxicity and you have not shown that the aim was to induce toxicity. Therefore, the dose level selection was too low. The study was conducted with an unknown number of animals for each test group. It is therefore not possible to conclude whether the statistical power of the information provided is sufficient. Furthermore, the following parameters are not investigated/ reported: clinical signs, food consumption, weight and histopathology of reproductive organs and tissues, thyroid hormone assessment (P0 and F1), oestrus cycles, AGD, nipple/areola retention and thyroid hormone measurements, as required in EU B.63/OECD TG 421 or EU B.64/OECD TG 422.

In your comments on the draft decision you indicate your intention to provide further details on the study listed above. You further intend to adapt this information request according to Annex XI Section 1.2, weight of evidence.

ECHA observes the following shortcomings with regards to your proposed approach.

- The existing deficiencies of the study listed above, especially regarding a) and b), may would persist as a shortcoming even if the reporting is further improved. In particular you have not demonstrated that the limit dose has been reached.
- Regarding the impact of endocrine disrupting modes of action and potential subsequent adverse effects on reproductive organs and performance (d, e, f, g): whilst information from QSAR predictions may constitute relevant information in support of the adaptation, considering the complexity of the endpoint in question, these QSAR predictions on a limited number of receptors cannot be seen to cover the full extent of the dependency between hormones and reproductive organs and -performance as

investigated in an *in vivo* study.

With your comments on the draft decision, you have not provided a full justification and robust study summaries for the different pieces of information to support an adaptation. It is not possible at this stage to conduct an evaluation of the supporting information referred to in your comments in absence of sufficient documentation and in the absence of an explanation of their relevance for your adaptation. It is in your discretion to generate and provide the necessary supporting information in order to justify your adaptation. If you do so, you are responsible for demonstrating the fulfilment of the requirements of Section 1.2 of Annex XI to REACH.

This decision does not take into account updates of the registration dossiers after the date on which you were notified of the draft decision according to Article 50(1) of REACH.

Based on the above, the information you provided do not fulfil the information requirement.

Information on study design

A study according to the test method EU B.63/OECD TG 421 or EU B.64/OECD TG 422 must be performed in rats with oral² administration of the Substance.

² ECHA Guidance R.7a, Section R.7.6.2.3.2.

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 summaries³.

B. Test material

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 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 dossiers⁴.

³ <https://echa.europa.eu/practical-guides>

⁴ <https://echa.europa.eu/manuals>

Appendix C: Procedure

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

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

The compliance check was initiated on 21 April 2020.

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

ECHA took into account your comments and did not amend the request(s).

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 Guidance⁵ and other supporting documentsEvaluation 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)⁶

RAAF - considerations on multiconstituent substances and UVCBs (RAAF UVCB, March 2017)⁷

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 documents⁸

⁵ <https://echa.europa.eu/guidance-documents/guidance-on-information-requirements-and-chemical-safety-assessment>

⁶ <https://echa.europa.eu/support/registration/how-to-avoid-unnecessary-testing-on-animals/grouping-of-substances-and-read-across>

⁷ <http://www.oecd.org/chemicalsafety/testing/series-testing-assessment-publications-number.htm>

⁸ <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 their corresponding information requirements

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

Registrant Name	Registration number	Highest REACH Annex applicable to you
[REDACTED]	[REDACTED]	[REDACTED]

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.