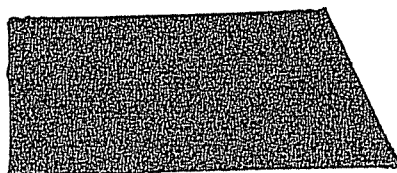
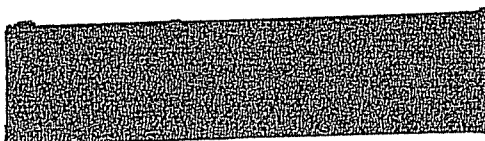


Helsinki, 11-10-2010



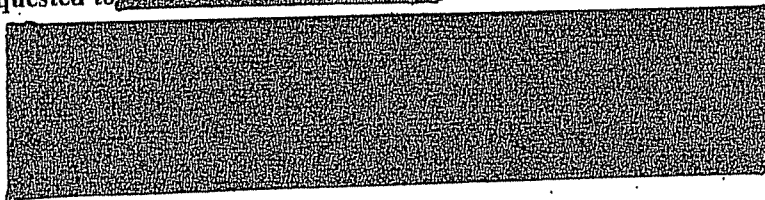
Submission number:
Inquiry number:
EC number:
Reference number:



FINAL DECISION NO: DSH-27-5-D-2010

Decision on permission to refer to studies requested by [REDACTED] under Article 27(6) of Regulation (EC) No 1907/2006

In accordance with Article 27(6) of Regulation (EC) No 1907/2006 ("the REACH Regulation"), and following your submission of the proof of payment of a share of the costs of the requested studies, the European Chemicals Agency (ECHA) has decided to grant [REDACTED] permission to refer to the studies relating to the following endpoints requested to [REDACTED]



This decision is based on an assessment of the information provided by both the previous and the potential registrants. Following this assessment, ECHA concluded that the previous registrant did not make every effort to reach an agreement on the sharing of information requested by [REDACTED] and to determine the costs of sharing in a fair, transparent and non-discriminatory way, pursuant to Articles 27(2) and (3) of the REACH Regulation.

More specifically, [REDACTED] failed to provide [REDACTED] with the details requested in its last three communications (dated [REDACTED], [REDACTED] and [REDACTED]) to clarify the extra costs required by [REDACTED] for the past ("incurred costs") and for the future ("bond to guarantee future charges").

In order for [REDACTED] to meet their legal registration requirements (i.e. assessment of intrinsic properties and safe use of the substance), ECHA is providing you with the results of these studies as an attachment to this letter.

According to the REACH Regulation, this information may only be used by you for the purpose of registration (as per Articles 10 and 25(3) of the REACH Regulation) and that you have to respect any property rights and possible confidentiality of the information. You must also follow the instructions for the use of the information provided. In addition, it is the registrants' responsibility to fulfil their legal requirements relating to the chemical safety report and recommended risk reduction measures under Article 14(3) of the REACH Regulation.

Please note that, as specified in Articles 10 and 11 of the REACH Regulation, you need to comply with the duties of potential registrants to submit their registration dossier as part of a joint submission.

Please also note that according to Article 27(8), the previous registrant can request that the registration waiting period for the new registrant is extended by a period of four months.

In accordance with Article 27(7) of the REACH Regulation, the previous registrant or the potential registrant may also appeal against this decision to the Board of Appeal of ECHA within three months of receiving notification of this decision (http://echa.europa.eu/appeals/app_procedure_en.asp).

Yours faithfully,



Geert Dancet
Executive Director

Copy: [REDACTED]

Attachment: endpoint study records and instructions on how to use them