

Helsinki, 11 December 2018

Addressee: [REDACTED]
[REDACTED]

Decision number: TPE-D-2114453721-52-01/F
Substance name: Reaction products of fatty acids, C18 (unsaturated) alkyl with sulfur trioxide, potassium salts
EC number: 701-179-4
CAS number: NS
Registration number: [REDACTED]
Submission number: [REDACTED]
Submission date: 18/10/2018
Registered tonnage band: 100-1000

DECISION ON A TESTING PROPOSAL

Based on Article 40 of Regulation ((EC) No 1907/2006) (the REACH Regulation), ECHA examined your testing proposal(s) and decided as follows.

Your testing proposal is accepted and you are requested to carry out:

1. Sub-chronic toxicity study (90-day), oral route (Annex IX, Section 8.6.2.; test method: OECD TG 408) in rats using 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 an adequate and reliable documentation.

You have to submit the requested information in an updated registration dossier by **18 June 2020**. You also have to update the chemical safety report, where relevant.

The reasons for 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>.

Authorised¹ by **Kevin Pollard**, Head of Unit, Evaluation, **E1**

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 1: Reasons

The decision of ECHA is based on the examination of the testing proposals submitted by you.

1. Sub-chronic toxicity study (90-day) (Annex IX, Section 8.6.2.)

Pursuant to Article 40(3)(a) of the REACH Regulation, ECHA may require the Registrant to carry out the proposed test.

A sub-chronic toxicity study (90 day) is a standard information requirement as laid down in Annex IX, Section 8.6.2. of the REACH Regulation. The information on this endpoint is not available for the registered substance but needs to be present in the technical dossier to meet the information requirements. Consequently, there is an information gap and it is necessary to provide information for this endpoint.

You have submitted a testing proposal for a sub-chronic toxicity study (90 day) in rats by the oral route according to OECD TG 408.

ECHA requested your considerations for alternative methods to fulfil the information requirement for Sub-chronic toxicity (90-day): oral. ECHA notes that you provided your considerations concluding that there were no alternative methods which could be used to adapt the information requirement(s) for which testing is proposed. ECHA has taken these considerations into account.

You proposed testing by the oral route. Based on the information provided in the technical dossier and/or in the chemical safety report, ECHA agrees that the oral route - which is the preferred one as indicated in ECHA Guidance on information requirements and chemical safety assessment (version 6.0, July 2017) Chapter R.7a, Section R.7.5.4.3 - is the most appropriate route of administration. More specifically, the registered substance is a solid used in granular form and there are no indications for significant inhalation exposure of humans (e.g., spray application). Hence, the test shall be performed by the oral route using the test method OECD TG 408.

Therefore, ECHA considers that the proposed study performed by the oral route with the registered substance is appropriate to fulfil the information requirement of Annex IX, Section 8.6.2. of the REACH Regulation.

You proposed testing in rats. According to the test method OECD TG 408 the rat is the preferred species. ECHA considers this species as being appropriate and testing should be performed with the rat.

Therefore, pursuant to Article 40(3)(a) of the REACH Regulation, you are requested to carry out the proposed study with the registered substance subject to the present decision: Sub-chronic toxicity study (90-day) in rats, oral route (test method: OECD TG 408).

Appendix 2: Procedural history

ECHA received your registration containing the testing proposals for examination in accordance with Article 40(1) on 12 February 2016.

ECHA held a third party consultation for the testing proposals from 31 January 2018 until 19 March 2018. ECHA did not receive information from third parties.

This decision does not take into account any updates 30 calendar days after the end of the commenting period. However, following a dossier update (submission number: [REDACTED]; submission date: 18 October 2018) where you have taken into account ECHA's communication on change of substance identification (communication number: SUB-C-2114373517-42-01/F), ECHA has changed the registered substance name from **9(or 10)-sulphooctadecanoic acid, potassium salt** (submission number [REDACTED]; submission date 16 May 2017) to **Reaction products of fatty acids, C18 (unsaturated) alkyl with sulfur trioxide, potassium salts** (submission number [REDACTED]; submission date 18 October 2018).

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 did not receive any comments by the end of the commenting period.

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. This decision does not imply that the information provided in your registration dossier is in compliance with the REACH requirements. The decision does not prevent ECHA from initiating a compliance check on the registration at a later stage.
2. 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 the Member States.
3. 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.