

Helsinki, 3 May 2021

Addressees

Registrants of 2,6-di-tert-butylphenol joint listed in the last Appendix of this decision

Date of submission of the dossier subject of a decision

11/12/2018

Registered substance subject to this decision, hereafter 'the Substance'

Substance name: 2,6-di-tert-butylphenol

EC number: 204-884-0

CAS number: 128-39-2

Decision number: [Please refer to the REACH-IT message which delivered this communication (in format TPE-D-XXXXXXXXXX-XX-XX/F)]**DECISION ON TESTING PROPOSAL(S)**

Based on Article 40 of Regulation (EC) No 1907/2006 (REACH), you must submit the information listed below by **8 August 2023**.

The requested information must be generated using the Substance unless otherwise specified.

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

1. Pre-natal developmental toxicity study (Annex IX, Section 8.7.2.; test method: EU B.31./OECD TG 414) by oral route, in one species (rat or rabbit)

B. Information required from the Registrants subject to Annex X of REACH

1. Pre-natal developmental toxicity study (Annex X, Section 8.7.2.; test method: EU B.31./OECD TG 414) by oral route, in a second species (rat/rabbit)

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

- Appendices entitled "Reasons to request information required under Annexes IX to X 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, VIII and IX to REACH, for registration at 100-1000 tpa;
- the information specified in Annexes VII to X to REACH, for registration at more than 1000 tpa.

You are only required to share the costs of information that you must submit to fulfil your information requirements.

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". In addition, you should follow the general recommendations provided under the Appendix entitled "General recommendations 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 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>.

Approved¹ 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 IX of REACH

This decision is based on the examination of the testing proposal you submitted.

1. Pre-natal developmental toxicity study in a first species

A pre-natal developmental toxicity (PNDT) study (OECD 414) in one species is an information requirement under Annex IX to REACH (Section 8.7.2.).

1.1. Information provided to fulfil the information requirement

You have submitted a testing proposal for a PNDT study according to OECD TG 414 by the oral route with the Substance.

ECHA requested your considerations for alternative methods to fulfil the information requirement for Developmental toxicity. 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.

ECHA agrees that a PNDT study in a first species is necessary.

1.2. Specification of the study design

You proposed testing in the rat as a first species. You may select between the rat or the rabbit because both are preferred species under the OECD TG 414 (ECHA Guidance R.7a, Section R.7.6.2.3.2.).

You proposed testing by the oral route. ECHA agrees with your proposal because this route of administration is the most appropriate to investigate reproductive toxicity (ECHA Guidance R.7a, Section R.7.6.2.3.2.).

1.3. Outcome

Your testing proposal is accepted under Article 40(3)(a) and you are requested to conduct the test with the Substance, as specified above.

Appendix B: Reasons to request information required under Annex X of REACH

1. Pre-natal developmental toxicity study in a second species

A pre-natal developmental toxicity (PNDT) study (OECD TG 414) in two species is a standard information requirement under Annex X, Section 8.7.2. to REACH.

As outlined above under point A.1, ECHA has approved your testing proposal for a pre-natal developmental toxicity study in a first species according to OECD TG 414.

Under Article 40(3)(c) of REACH, ECHA may require a registrant to carry out one or more additional tests in case of non-compliance of the testing proposal with Annexes IX, X or XI of the REACH Regulation. The endpoint for pre-natal developmental toxicity at Annexes IX and X includes studies in two species but you have submitted a testing proposal for one species only. In case of data gap for the second species, it is necessary to request a pre-natal developmental study in a second species as an additional test to ensure compliance with the endpoint.

1.1. Information provided to fulfil the information requirement

Regarding PNDT in a second species, you have provided two adaptations.

We have assessed this information and identified the following issue(s):

- A. In order to be considered compliant and enable assessing if the Substance is a developmental toxicant, information provided has to meet the requirements of OECD TG 414 in two species, e.g. external, skeletal and visceral malformations and variations has to be investigated as described in OECD TG 414.

In your adaptation, you refer to available data, namely an OECD Preliminary Reproduction Toxicity Screening Test in rats (Precursor Protocol of GL 421; ██████████ 1992) which is provided in section 7.8.1 of your dossier. You conclude that *"In consideration of the available data on 2,6-DTBP, a NOAEL for parent and pups has been set at 150 mg/kg bw/day and therefore, a developmental toxicity study in the rabbit is not proposed."*

ECHA notes that in the study provided, key parameters on external, skeletal and visceral malformations and variations are not investigated as required in a pre-natal developmental toxicity study (OECD TG 414). Therefore, the provided study does not fulfil the information requirement.

- B. A pre-natal developmental toxicity study in a second species is a standard information requirement at Annex X unless one or more of the adaptations in Section 8.7 of Annex X or Annex XI apply, taking into account the results of the test in the first species or any other relevant available information.

You have provided the following justification for an adaptation of the PNDT study in a second species: *"According to Column 2 of Annex IX 8.7.2, a decision on the need to perform a study on a second species should be based on the outcome of the respective test in the first species (rat) and all other relevant available data."*

You have not demonstrated that the results of test in the first species or any other relevant available information enable adaptations in accordance with Section 8.7 of Annex X or Annex XI.

Thus, your adaptation is rejected and the information requirement is not fulfilled.

ECHA concludes that there is a data gap for this information requirement.

1.2. Specification of the study design

Under the OECD TG 414, the rat or the rabbit are the preferred species (ECHA Guidance R.7a, Section R.7.6.2.3.2.). Therefore, a PNDT study according to the OECD TG 414 must be performed in rabbit or rat as the second species, depending on choice of species for the first PNDT study.

The oral route of administration is the most appropriate to investigate reproductive toxicity (ECHA Guidance R.7a, Section R.7.6.2.3.2.). Therefore, the study must be conducted using the oral route.

1.3. Outcome

Under Article 40(3) (c) of REACH, you are requested to carry out the additional test with the Substance, as specified above.

Appendix C: 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 summaries².

B. Test material

Before generating new data, you must agree within the joint submission on the chemical composition of the material to be tested (Test material) which must be relevant for all the registrants of the Substance.

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 variation in compositions reported by all members of the joint submission,
 - the boundary composition(s) of the Substance,
 - 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 and whether it is suitable for use by all members of the joint submission.

Technical instructions on how to report the above is available in the manual on How to prepare registration and PPORD dossiers³.

² <https://echa.europa.eu/practical-guides>

³ <https://echa.europa.eu/manuals>

Appendix D: Procedure

ECHA started the testing proposal evaluation in accordance with Article 40(1) on 12 December 2018.

ECHA held a third party consultation for the testing proposal(s) from 17 June 2020 until 3 August 2020. ECHA did not receive information from third parties.

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

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

You informed ECHA that you have no comments on the draft decision. ECHA took your comment into account and did not amend the requests.

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 E: List of references - ECHA Guidance⁴ 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)⁵

RAAF - considerations on multi-constituent substances and UVCBs (RAAF UVCB, March 2017)⁵

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 documents⁶

⁴ <https://echa.europa.eu/guidance-documents/guidance-on-information-requirements-and-chemical-safety-assessment>

⁵ <https://echa.europa.eu/support/registration/how-to-avoid-unnecessary-testing-on-animals/grouping-of-substances-and-read-across>

⁶ <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 F: Addressees of this decision and the corresponding information requirements applicable to them

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.