

Helsinki, 16 January 2024

**Addressee(s)**

Registrant(s) of Reactive Red 23 as listed in Appendix 3 of this decision

**Date of submission of the dossier subject to this decision**

13/08/2018

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

Substance name: Cuprate(3-), [3-hydroxy-4-[[2-hydroxy-5-[[2-(sulfooxy)ethyl]sulfonyl]phenyl]azo]-2,7-naphthalenedisulfonato(5-)]-, potassium sodium

EC number/List number: 287-791-8

**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 **23 January 2026**.

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

**Information required from all the Registrants subject to Annex VII of REACH**

## 1. Skin sensitisation (Annex VII, Section 8.3.)

- a) *in vitro/in chemico* skin sensitisation information on molecular interactions with skin proteins (OECD TG 442C), inflammatory response in keratinocytes (OECD TG 442D) and activation of dendritic cells (OECD TG 442E) (Annex VII, Section 8.3.1.); and
- b) only if the *in vitro/in chemico* test methods specified under point a) above are not applicable for the Substance or the results obtained are not adequate for classification and risk assessment, *in vivo* skin sensitisation (Annex VII, Section 8.3.2.; test method: EU B.42./OECD TG 429)

The reasons for the request(s) are explained in Appendix 1.

**Information required depends on your tonnage band**

You must provide the information listed above for all REACH Annexes applicable to you in accordance with Articles 10(a) and 12(1) of REACH. The addressee of the decision and its corresponding information requirements based on registered tonnage band are listed in Appendix 3.

**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 requirements for testing and reporting new tests under REACH, see Appendix 4.

**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.

Authorised<sup>1</sup> under the authority of Mike Rasenberg, Director of Hazard Assessment

Appendix 1: Reasons for the request(s)

Appendix 2: Procedure

Appendix 3: Addressees of the decision and their individual information requirements

Appendix 4: Conducting and reporting new tests under REACH

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<sup>1</sup> 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 for the request(s)**

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## Reasons related to the information under Annex VII of REACH

### 1. Skin sensitisation

1 Skin sensitisation is an information requirement under Annex VII, Section 8.3. Under Section 8.3., Column 1, the registrants must submit information allowing (1) a conclusion whether the substance is a skin sensitizer and (2) whether it can be presumed to have the potential to produce significant sensitisation in humans (Cat. 1A).

#### 1.1. Information provided

2 You have adapted this information requirement by using Annex VII, Section 8.3., Column 2. To support the adaptation, you have provided the following information:

(i) Justification: *"an in vitro skin sensitisation study does not need to be conducted because adequate data from an in vivo skin sensitisation study are available"*;

3 In addition, you have adapted this information requirement by using Annex XI, Section 1.5. (grouping of substances and read-across approach) based on experimental data from the following substances:

(ii) a guinea pig maximisation test (1989) with Reactive Violet 5 Na, EC 263-856-6, CAS 63105-49-7;

4 You provide a read-across justification document in IUCLID Section 13.

5 You predict the properties of the Substance from information obtained from the following source substance(s):

- Reactive Violet 5 Na, Trisodium [5-acetamido-4-hydroxy-3-[[2-hydroxy-4-[[2-(sulphooxy)ethyl]sulphonyl]phenyl]azo]naphthalene-2,7-disulphonato(5-)]cuprate(3-) (EC 263-856-6, CAS 63105-49-7);

6 You provide the following reasoning for the prediction of toxicological properties: "Given that the metabolism and degradation of dyestuffs is understood and both substances have an identical chromophore with negligible modifications not effecting the (eco)toxicological profile, it is considered a viable conclusion to state that the expected (eco)toxicological effects for both source and target substance are likely to be similar for the selected endpoints."

7 ECHA understands that your read-across hypothesis assumes that different compounds have the same type of effects. You predict the properties of your Substance to be quantitatively equal to those of the source substance.

#### 1.2. Assessment of the information provided

##### 1.2.1. Assessment whether the Substance causes skin sensitisation

###### 1.2.1.1. Read-across adaptation rejected

8 Annex XI, Section 1.5. specifies two conditions which must be fulfilled whenever a read-across approach is used. Firstly, there needs to be structural similarity between substances which results in a likelihood that the substances have similar physicochemical, toxicological and ecotoxicological properties so that the substances may be considered as a group or category. Secondly, it is required that the relevant properties of a substance within the group may be predicted from data for reference substance(s) within the group.

9 Additional information on what is necessary when justifying a read-across approach can be found in the Guidance on IRs and CSA, Chapter R.6. and related documents (RAAF, 2017; RAAF UVCB, 2017).

10 We have identified the following issue(s) with the prediction of toxicological properties:

1.2.1.1.1. *Missing supporting information to compare properties of the substances(s)*

11 Annex XI, Section 1.5. requires that whenever read-across is used adequate and reliable documentation of the applied method must be provided. Such documentation must provide supporting information to scientifically justify the read-across explanation for prediction of properties. The set of supporting information should strengthen the rationale for the read-across in allowing to verify the crucial aspects of the read-across hypothesis and establishing that the properties of the Substance can be predicted from the data on the source substance(s) (Guidance on IRs and CSA R.6., Section R.6.2.2.1.f.).

12 Supporting information must include experimental evidence to compare properties of the Substance and the source substance(s).

13 As indicated above, your read-across hypothesis is based on the assumption that the structurally similar substance(s) cause the same type of effect(s). In this context, relevant, reliable and adequate information allowing to compare the properties of the substance(s) is necessary to confirm that the substances cause the same type of effects. Such information can be obtained, for example, from bridging studies of comparable design and duration for the Substance and of the source substance(s).

14 You have provided a guinea pig maximisation study with the source substance. You did not provide other information on the adapted endpoint skin sensitisation.

15 In your comments to the draft decision you included a wide array of QSAR Toolbox structural similarity parameters and profiler alerts, and ADME profiling, claiming that "*this profiling shows that the relevant properties of the target substance may be predicted from data of the source substance.*"

16 You also note in your comments one structural difference (acetamido-group at the naphthalene ring system) between the Substance and the source substance.

17 The profiling data attached to your comments is not experimental evidence. However, the profiling supports your approach and justifies the source substance selection, and need to be included in the dossier by the deadline of this decision.

18 The available information in the dossier does not allow comparison of the toxic properties of the Substance and the source substance on the adapted standard information requirement because the read-across source study alone is available and no experimental results with the Substance are available.

19 In the absence of such information, you have not established that the Substance and the source substance(s) are likely to have similar properties. Therefore you have not provided sufficient supporting information to scientifically justify the read-across.

20 As explained above, you have not established that relevant properties of the Substance can be predicted from data on the source substance(s). On this basis, your read-across approach under Annex XI, Section 1.5. is rejected.

21 On this basis, the information provided does not contribute to the assessment whether the Substance causes skin sensitisation.

1.2.2. *No assessment of potency*

- 22 To be considered compliant and enable a conclusion in cases where the substance is considered to cause skin sensitisation, the information provided must also allow a conclusion whether it can be presumed to have the potential to produce significant sensitisation in humans (Cat. 1A).
- 23 As the currently available data in your registration dossier does not allow to conclude whether the Substance causes skin sensitisation (see section 1.2.1. above), this condition cannot be assessed. The information provided in your comments address, however, this issue.
- 24 Therefore, the information requirement is not fulfilled in your registration dossier. The information provided with your comments need to be included in an updated dossier by the deadline set in this decision.

*1.3. Specification of the study design*

- 25 To fulfil the information requirement for the Substance, information on molecular interaction with skin proteins and inflammatory response in keratinocytes and activation of dendritic cells (OECD TG 442C and OECD TG 442D and OECD TG 442E) must be provided. Furthermore an appropriate risk assessment is required if a classification of the Substance as a skin sensitiser (Cat 1A or 1B) is warranted.
- 26 In case no conclusion on the skin sensitisation potency can be made for the Substance based on the existing data or newly generated data, in vivo skin sensitisation study must be performed and the murine local lymph node assay (EU Method B.42/OECD TG 429) is considered as the appropriate study for the potency estimation.

## References

The following documents may have been cited in the decision.

### **Guidance on information requirements and chemical safety assessment (Guidance on IRs & CSA)**

- Chapter R.4 Evaluation of available information; ECHA (2011).  
Chapter R.6 QSARs, read-across and grouping; ECHA (2008).  
Appendix to Chapter R.6 for nanoforms; ECHA (2019).  
Chapter R.7a Endpoint specific guidance, Sections R.7.1 – R.7.7; ECHA (2017).  
Appendix to Chapter R.7a for nanomaterials; ECHA (2017).  
Chapter R.7b Endpoint specific guidance, Sections R.7.8 – R.7.9; ECHA (2017).  
Appendix to Chapter R.7b for nanomaterials; ECHA (2017).  
Chapter R.7c Endpoint specific guidance, Sections R.7.10 – R.7.13; ECHA (2017).  
Appendix to Chapter R.7a for nanomaterials; ECHA (2017).  
Appendix R.7.13-2 Environmental risk assessment for metals and metal compounds; ECHA (2008).  
Chapter R.11 PBT/vPvB assessment; ECHA (2017).  
Chapter R.16 Environmental exposure assessment; ECHA (2016).

**Guidance on data-sharing**; ECHA (2017).

**Guidance for monomers and polymers**; ECHA (2012).

**Guidance on intermediates**; ECHA (2010).

All guidance documents are available online: <https://echa.europa.eu/guidance-documents/guidance-on-reach>

### **Read-across assessment framework (RAAF)**

- RAAF, 2017 Read-across assessment framework (RAAF); ECHA (2017).  
RAAF UVCB, 2017 Read-across assessment framework (RAAF) – considerations on multi- constituent substances and UVCBs; ECHA (2017).

The RAAF and related documents are available online:

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

### **OECD Guidance documents (OECD GDs)**

- OECD GD 23 Guidance document on aquatic toxicity testing of difficult substances and mixtures; No. 23 in the OECD series on testing and assessment, OECD (2019).  
OECD GD 29 Guidance document on transformation/dissolution of metals and metal compounds in aqueous media; No. 29 in the OECD series on testing and assessment, OECD (2002).  
OECD GD 150 Revised guidance document 150 on standardised test guidelines for evaluating chemicals for endocrine disruption; No. 150 in the OECD series on testing and assessment, OECD (2018).  
OECD GD 151 Guidance document supporting OECD test guideline 443 on the extended one-generation reproductive toxicity test; No. 151 in the OECD series on testing and assessment, OECD (2013).

## **Appendix 2: 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 08 August 2022.

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).

The deadline of the decision is set based on standard practice for carrying out OECD TG tests. It has been exceptionally extended by 12 months from the standard deadline granted by ECHA to take into account currently longer lead times in contract research organisations.

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 4: Conducting and reporting new tests for REACH purposes

### 1. Requirements when conducting and reporting new tests for REACH purposes

#### 1.1. 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 summaries<sup>2</sup>.
- (4) Under the introductory part of Annexes VII/VIII/IX/X to REACH, where a test method offers flexibility in the study design, for example in relation to the choice of dose levels or concentrations, the chosen study design must ensure that the data generated are adequate for hazard identification and risk assessment.

#### 1.2. 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 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.

With that detailed information, ECHA can confirm 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 dossiers (<https://echa.europa.eu/manuals>).

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