

# JONES DAY

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February 18, 2025

## TO WHOM IT MAY CONCERN

Dear Applicant,

**Re: TCPP Consortium**

This document contains the relevant information for purchasing a letter of access 'LoA' for joining the joint REACH registration for the substance:

**NEW: REACTION PRODUCTS OF PHOSPHORYL TRICHLORIDE AND 2-METHYLOXIRANE (TCPP); EC 807-935-0; CAS 1244733-77-4**

OLD IDENTIFIERS: TRIS(2-CHLORO-1-METHYLETHYL)PHOSPHATE MULTICONSTITUENT SUBSTANCE ('TCPP'): EC 911-815-4

prepared by the **TCPP CONSORTIUM**. In addition, this PDF provides the relevant earlier SIEF communications issued by the Lead Registrant / Consortium.

If you wish to purchase a LoA, please fill in the next pages '**LOA APPLICATION FORM**' and **pdf them to the attention of ReachTeam@jonesday.com**. You will then receive a pre-payment notice by email for payment of the LoA price. As soon as we have received your payment in full, we will confirm that payment has been received and you will receive the joint submission token and any other necessary documentation (Chemical Safety Report, Guidance on Safe Use as the case may be) that you may need to join the Joint Submission via the ECHA REACH-IT portal (please see the ECHA Guidance on joining the Joint Submission). Potential registrants have to submit their individual parts (Article 10 (a) (i), (ii), (iii) and (x)) of the IUCLID registration dossiers separately to ECHA by the relevant deadline.

Invoices for paid LoA fees will be issued by the Consortium on a periodic basis as soon as a sufficient number of LoAs have been processed and pre-paid.

If you have any questions, please do not hesitate to contact:

Preslava Dilkova at [p.dilkova@jonesday.com](mailto:p.dilkova@jonesday.com) / Telephone +32-2-645-1433

EUI-1219513119v1

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Version: February 2025

## Letter of Access ('LoA') Application Form

### TCP P REACH Consortium

LoA will be issued per group of companies. Please fill in the application form only **once** for all affiliated group companies.  
(To be filled in and emailed back to [ReachTeam@jonesday.com](mailto:ReachTeam@jonesday.com))

#### **NOTE:**

\* **By completing and sending the LoA application form to Jones Day, you shall be considered as having accepted the terms of the respective SIEF Agreement overleaf.**

\* **Only once formal invoices will have been issued and settled, the LoA will be considered as issued and effective.**

\* LoA applicants will be informed by separate email or via SIEF communication if the CSR and guidance on safe use will be prepared jointly and also **submitted jointly**, or rather whether they will be prepared jointly but will have to be **submitted individually**. In the latter case, LoA applicants will receive the CSR and Guidance on Safe Use via a IUCLID so-called "export file" and must then insert it themselves into their individual REACH registration.

#### Substance:

**NEW: Reaction products of phosphoryl trichloride and 2-methyloxirane (TCP P); EC 807-935-0; CAS 1244733-77-4**

Old identifiers: *Tris(2-chloro-1-methylethyl)phosphate multiconstituent substance ('TCP P'), EC 911-815-4; CAS 13674-84-5*

#### Current Prices LoA:

- Below 10 tons or intermediate: EUR 41.599,- (excl. VAT)
- 10 - 100 tons without CSR: EUR 41.599,- (excl. VAT)
- 10 - 100 tons **with** CSR: EUR 50.956,- (excl. VAT)
- 100 - 1000 tons without CSR: EUR 41.599,- (excl. VAT)
- 100 - 1000 tons **with** CSR: EUR 50.956,- (excl. VAT)
- Above 1000 tons without CSR: EUR 55.525,- (excl. VAT)
- Above 1000 tons **with** CSR: EUR 64.882,- (excl. VAT)

**Please fill in applicable joint submission category. Any change in category (higher tonnage or change from intermediate to full substance registration) will require notification to Jones Day to adapt price.**

#### Restrictions (optional):

- a.  'Opt-out' pursuant to Article 11 (3) for the following mandatory joint parts.
- Article 10 (a)
  - Article 10 (a) (iv),
  - Article 10 (a) (vi),
  - Article 10 (a) (vii),
  - Article 10 (a) (ix)

### Identification

Company: .....

.....

REACH-IT UUID Number: .....

Company reference name or number (optional): .....

VAT number: .....

**If you do not fill out a VAT number, you will be charged 21%.**

Address: .....

.....

Postal Code: ..... City: ..... Country: .....

**Please give full details of person authorized to make the application:**

Mr  Ms  Dr

Last Name: ..... First Name: .....

Phone Number: ..... Fax Number: .....

E-mail address: .....

**Please give full company details for all affiliates to be covered by this Letter of Access:**

*Example: The Miracle Chemicals Co. Ltd; 95130 Rome, 25 Nano Boulevard, Belgium*

**Affiliates:** .....

.....

.....

.....

.....

.....

.....

.....

## Registration

In his registration, the Applicant acts:

- a.  for **himself**
- b.  as **Only Representative** pursuant to Article 8 REACH for the following non-EU manufacturer;  
Please give full contact details of **non-EU legal entity** represented by Only Representative  
*If you act on behalf of several non-EU legal entities that are not related to each other, please fill in new application form for each of your principals.*

Company: .....  
.....

Address: .....  
.....

Postal Code: ..... City: ..... Country: .....

Mr  Ms  Dr

Last Name: ..... First Name: .....

Phone Number: ..... Fax Number: .....

E-mail address: .....

- c.  as **Third Party Representative** pursuant to Article 4 REACH.

Do you want to disclose the name of the party you represent?

- a.  Yes
- b.  No

Company Name: .....  
.....

REACH-IT UUID Number: .....

Address: .....  
.....

Postal Code: ..... City: ..... Country: .....

Mr  Ms  Dr

Last Name: ..... First Name: .....

Phone Number: ..... Fax Number: .....

E-mail address: .....

| <b>Applicable Joint Submission:</b>  |  |  |
|--|--|--|
| <p>Is the <b>company to be invoiced</b> the same as the legal entity registering under REACH?</p> <p>a.     <input type="checkbox"/> Yes</p> <p>b.     <input type="checkbox"/> No</p> <p style="text-align: center;"><b><i>If no, please give full company details of legal entity to be invoiced:</i></b></p> <p>Company: .....</p> <p>VAT number: .....</p> <p style="text-align: center;"><b><i>If you do not fill in a VAT number, you will be charged 21%.</i></b></p> <p>Address: .....</p> <p>.....</p> <p>Postal Code: .....     City: .....     Country: .....</p> |  |  |

**General Terms and Conditions:**

1. The right of referral only gives access to the Joint Registration Dossier of the substance for the registration as specified above.
2. The right of referral is solely granted in favor of the Applicant (and, only where applicable, the Affiliates listed herein), and is not transferable to any other entity or person.
3. Unless otherwise specified below at 6., the Applicant is not authorized to receive any copies of the Joint Registration Dossier nor is the Applicant authorized to inspect or view the Joint Registration Dossier or any related specific document in whole or in part, outside the general inspection period granted by the Consortium and outside the conditions set out in the SIEF Agreement.
4. This Letter of Access shall in no event be construed as granting the Applicant any property rights whatsoever in the Joint Registration Dossier.
5. Nothing in this letter shall require the Consortium members to file any additional data.
6. In as far as the Joint Registration Dossier may contain a chemical safety report ("CSR") and guidance on safe use, and the Applicant is participating in joint submission for those parts of the dossier, or has otherwise acquired rights to them, those will be made available to the Applicant as needed and may be used by it in as far as needed for purposes of safe handling and elaboration of eSDS and must be filed by it individually if set out in the SIEF Agreement.
7. If the Applicant has chosen to prepare itself the CSR, exposure scenarios and guidance on safe use, but does otherwise fully participate in the Joint Registration Dossier, it shall receive an electronic copy of parts Article 10 (a) (iv), (vi), (vii) and (ix) REACH of the Joint Registration Dossier and shall have the rights to use for this purpose only the (robust) study summaries and other information contained therein as well as to refer to the full study reports on which basis the (robust) study summaries have been developed.
8. In any event and regardless of the rights and restrictions set forth above, the Applicant shall always receive a list of uses which are covered by the CSR, the proposed classification and labeling as well as the PNECs and DNELs where available.

This Letter of Access does not create any rights for third parties or any liability towards third parties in relation to the data for which access is granted.

This letter of access is issued by the above Lead Registrant or Consortium Members and they have prepared the respective registration dossier(s). No attorney-client relationship with Jones Day is created by signing this LoA application / change form / the SIEF / Cooperation / Joint Submission Agreement or payment of the LoA (proforma) invoice.

**Applicant's certifications and undertakings:**

1. The Applicant hereby declares that it is aware of, agrees and complies with the provisions of the SIEF Agreement issued by the Lead Registrant, which shall apply in its entirety in addition to the provisions set out hereunder.
2. In case the Applicant has applied for an intermediate LoA only, the Applicant hereby declares that it is aware that registration as an intermediate pursuant to Articles 17 and 18 REACH is conditional upon fulfillment of the conditions set out there under.
3. The Applicant declares that it has wired the Letter of Access Pre-payment fee to the following bank account within 30 calendar days of signature of this Letter of Access. Following receipt of the payment in full, the applicant will receive the security token. The invoice for the Letter of Access / Joint Submission will be issued at latest at the end of the applicable year of registration (end 2010, end 2013, end of 2018, as the case may be).
4. If Applicant chooses not to disclose the Third Party represented, Jones Day reserves the right to appoint a neutral party that is entitled to audit the accuracy of the Third Party Representative's submission whilst guaranteeing the confidentiality of the Third Party. The Third Party Representative hereby agrees to such third party audit.

**I have read and I agree with the legal Terms of the Agreement.**

*Signature of LoA applicant:* .....

*Name:* .....

*Date:* .....

\* \* \*

**REACH: SIEF Communications**  
**Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP)**  
**EC 807-935-0; CAS 1244733-77-4 (new)**  
*Old identifiers (EC 911-815-4; CAS 13674-84-5)*

- Updated July 15, 2024 -

SIEF Communications:

(Please see the most recent information at the end of the PDF)

1. SIEF Communication dated October 14, 2010 (28 pages)
2. SIEF Communication dated October 8, 2013 (8 pages)
3. SIEF Communication dated September 25, 2018 (30 pages)
4. SIEF Communication dated April 22, 2022 (1 page)
5. SIEF Communication dated March 27, 2023 (40 pages)
6. SIEF Communication dated April 4, 2023 (8 pages)
7. SIEF Communication dated April 24, 2024 (1 page)
8. SIEF Communication dated July 11, 2024 (1 page)

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<sup>3</sup> Member of the Georgia Bar  
<sup>4</sup> Advocaat-Avocat - Member of the Brussels Bar

URSULA SCHLIESSNER  
(32-2) 278-1224

EMAIL ADDRESS  
uschliessner@mckennalong.com

October 14, 2010

**BY ELECTRONIC MAIL**

**TO WHOM IT MAY CONCERN**

**Re: REACH: SIEF Communication TCPP EC 911-815-4**

Dear SIEF Member:

Further to our earlier SIEF communication of July 30, 2010, we are pleased to report that the joint registration dossier has been filed at ECHA and has passed the technical completeness check and Business Rules. The SIEF Agreement, including an updated budget and LoA price calculation as well as a list of published data used, is attached.

We kindly ask those SIEF members who wish to participate in joint submission to fill in the letter of access (LoA) application at [www.mlalaw.eu](http://www.mlalaw.eu). An on-line tool will guide you through the procedure, options and payment requirements. Once your LoA application has been duly accepted and payment has been made, you shall automatically receive the joint submission token to file the individual parts of your TCPP registration dossier and you will receive a copy of the CSR for individual filing.<sup>1</sup> **Participation in joint submission is conditional upon completing the procedure and obtaining an LoA at [www.mlalaw.eu](http://www.mlalaw.eu).**

Thank you very much for your attention.

Kind regards,



Ursula Schliessner  
Partner  
McKenna Long & Aldridge LLP

Attachment: SIEF Agreement TCPP

<sup>1</sup> Guidance on safe use also available upon request from McKenna Long & Aldridge LLP for individual filing by each registrant in REACH IT.



**SIEF and Joint Submission AGREEMENT****TCPP\_Tris(2-chloro-1-methylethyl)phosphate\_multiconstituent substance ("TCPP")****1. Definitions**

- (a) *Advantage Compensation* shall mean a fee that covers general costs incurred by the Parties to the Consortium Agreement in relation to their initiative, commitment and any other preliminary performance within the Consortium and for the purposes of preparing the Joint Registration Dossier, such as substantiated and reasonable travel costs, manpower allocated to the work in the Consortium, etc.
- (b) *Affiliate(s)* shall mean a corporation, which controls, is controlled by or is under common control with a Party, with control meaning at least 50% of the voting rights directly or indirectly owned. Unless provided otherwise, when referring to Affiliates in the context of this Agreement it is understood that this also comprises any Only Representative acting on behalf of a non-EU Affiliate of a Party. The corporations named in this Agreement are to be considered as Affiliates of Parties who have obligations to register the Substance.
- (c) *Consortium* shall mean the members of the TCPP Consortium (established by the *Consortium Agreement* of 2009), of which Lanxess Deutschland GmbH is a member.
- (d) *Information* shall mean all studies, other scientific, statistical, or technical information or data, including but not limited to composition, characteristics, properties, processes and applications, and any other information in whatever form made available by a Party or generated by the Parties jointly, or licensed by or made available to the Consortium by third parties pursuant to or within the remit of this SIEF Agreement.
- (e) *LoA* shall mean a letter of access to the Joint Registration Dossier granted by the Consortium to individual Parties as applicable to them and as attached as **Annex 1** to this SIEF Agreement. The LoA entitles the Party (and its Affiliates) on a non-exclusive basis to refer to the information submitted to ECHA by the Lead Registrant for purposes of REACH registration, but it does not grant any additional rights except those specifically stated therein. In particular, it cannot be used, or transferred or relied upon, either for REACH or for any other purpose, by other legal entities, including affiliates of the Parties other than those named in the SIEF Agreement, unless those other legal entities would qualify for a free update of the original registration(s) pursuant to Article 5 (1) (c) of Commission Regulation (EC) No 340/2008.
- (f) *Party* or *Parties* shall mean the parties to this SIEF Agreement who have *either* (i) signed this SIEF Agreement, and/or have paid for the LoA as laid down in 4. *or* (ii) following notification of this Agreement, have not communicated to the Lead Registrant their objection to become a member of the SIEF Agreement pursuant to 5.(k) and are not listed as 'inactivated' pre-registrants in REACH-IT.
- (g) *Joint Registration Dossier* shall cover the joint mandatory (Article 10 (a) (iv), (vi), (vii) and (ix) REACH) and joint voluntary (Article 10 (a) (v), and (b) REACH) parts of the REACH Registration Dossier for the Substance. The Joint Registration Dossier covers IUCLID core data for the data requirements for more than 1000 tonnes and the Chemical Safety Report ("CSR"), as well as guidance on safe use, subject to 3.(h) below and to the further restriction that the CSR issued by the Consortium to Parties shall only include the common uses previously identified by the Consortium and shall also not include production of the Substance.
- (h) *Project Manager* shall mean an external consultancy responsible for daily management of the Consortium (*e.g.*, financial issues), engaged by the Consortium members. The Project Manager is defined in **Annex 2** of this Agreement.

- (i) *REACH* shall mean Regulation (EC) No 1907/2006 and all subsequent Regulations, Decisions, and other measures adopted in connection thereto.
- (j) *Substance* shall mean the substance listed in 2.(a) of this SIEF Agreement.
- (k) All other terms used herein shall have the same meaning as under REACH.

## **2. Scope**

- (a) This SIEF Agreement covers the following substance

**TCPP\_Tris(2-chloro-1-methylethyl) phosphate\_multiconstituent substance** is a multi constituent substance (origin: organic) consisting of tris(2-chloro-1-methylethyl) phosphate (main component), bis(2-chloropropyl)-1-chloro-2-propyl phosphate, bis(1-chloro-2-propyl)-2-chloropropyl phosphate and tris(2-chloropropyl) phosphate.

**EC number: 911-815-4**

TCPP is the abbreviation of the above mentioned multiconstituent substance.

The sameness criteria are defined in Annex 3.

The Parties have agreed in previous communications on the identity and sameness of the Substance and are thus members of the same SIEF.

- (b) This SIEF Agreement is applicable to all communications, actions and submissions made by the Parties individually or jointly within the scope of REACH in as far as these fall within the remit of SIEFs pursuant to Article 29 REACH.
- (c) This SIEF Agreement is applicable to all members of the SIEF (including the members of the Consortium) of the Substance. Consortium members are represented for purposes of this SIEF Agreement by the Lead Registrant.

## **3. General Rules of Cooperation**

- (a) The Parties agree that Lanxess Deutschland GmbH or its legal successor or another SIEF member assigned by it pursuant to 5. (f) below will act as the Lead Registrant for the Substance and will prepare, within the framework of the Consortium, the Joint Registration Dossier for REACH registration of the Substance as and in as far as required, and make requests pursuant to Article 10 (a) (xi) REACH as deemed necessary. Upon demand of ECHA, within the requested deadline and to the extent necessary, the Lead Registrant also agrees to make reasonable efforts to complete the Joint Registration Dossier. Parties that are not members of the Consortium will participate in the joint registration efforts via (g) below in conjunction with a LoA to be granted according to this SIEF Agreement.
- (b) The Joint Registration Dossier will be prepared in time using all reasonable efforts so that Parties can meet the November 30, 2010 registration deadline.
- (c) In view of the tight work schedule, the Parties agree that the Lead Registrant will use its reasonable efforts to develop the Joint Registration Dossier within the Consortium, and they acknowledge that the Lead Registrant has engaged reputable support to assist it in its efforts. The Parties will therefore not object or call into question the Joint Registration Dossier so

prepared in as far as applicable to them, and the Parties hereby agree to the Joint Registration Dossier as developed by the Lead Registrant within the Consortium.

- (d) The Lead Registrant undertakes in turn to regularly update the Parties in writing on the progress made on the Joint Registration Dossier as applicable to the Parties. The Lead Registrant may ask for cooperation and comments as it sees fit.
- (e) The Lead Registrant shall pay the registration fee pursuant to Article 11 (4) REACH as invoiced by ECHA for the submission of the Joint Registration Dossier without undue delay.
- (f) The Lead Registrant shall make the Joint Registration Dossier available for inspection by the Parties via an electronic tool (Brain-loop) upon request to the Lead Registrant before October 30, 2010. Any Party joining the SIEF after the inspection period is entitled to inspect the Joint Registration Dossier after having taken an appointment with the Lead Registrant.
- (g) Provided the Party has fulfilled its payment obligations hereunder, the Lead Registrant shall inform the Party of the creation of a 'joint submission object' in REACH-IT and shall provide the valid security token number and the name of the joint submission. The Lead Registrant shall also inform the Parties of the submission of the Joint Registration Dossier to ECHA. The Lead Registrant shall further communicate the confirmation that the Joint Registration Dossier has been accepted as 'complete' and the registration number assigned pursuant to Article 20 (3) REACH.
- (h) Without prejudice to the above, whilst the CSR as well as the guidance on safe use will be prepared jointly, in order to avoid any confidentiality issues and allow registrants to include individual information and uses, they shall be submitted individually in REACH IT by each Party. The Lead Registrant shall therefore make the CSR and guidance on safe use available to each Party participating in cost sharing so as to allow this Party to file and complete its CSR and guidance on safe use individually.

#### **4. Cost Sharing**

The price for the LoA is calculated by taking into account management and administration expenses, costs for existing and new data, costs for the preparation of IUCLID by the Lead Registrant, costs for preparing the CSR and guidance on safe use, and handling fees, *as follows*:

##### (a) Joint Registration Dossier Preparation

###### (i) Expenses

The expenses incurred to manage the Consortium and to prepare the Joint Registration Dossier are set out in **Annex 4**, as may be amended by the Project Manager from time to time.

###### (ii) Existing and new data

Where access to existing and new proprietary studies are concerned, which are owned either by the individual Consortium members or by all Consortium members, the Parties obtaining the LoA shall pay cost compensation with a 30% deduction of the study value determined under Annex 6 of the Consortium Agreement due to the restricted rights to refer to the data for REACH purposes only.

###### (iii) Chemical Safety Report

The cost for the preparation of the CSR and the guidance on safe use part of the Joint Registration Dossier will be shared equally by all Parties (including the Consortium members) to which the more than 10 tonne category applies, unless a Party decides to develop its own CSR and guidance on safe use (in which case they can 'opt-out' of this cost). In the latter case, they will receive the hazard assessment created from IUCLID, which will be included in the IUCLID price part of the dossier.

The CSR made available will include the common uses identified by the Consortium but will exclude the scenarios related to production, as these are specific to each registrant.

(b) Price Determination for the Various Tonnage Categories

(i) *1000 Tons and More*

For the November 30, 2010 registration deadline (or all registrants of 1000t and above even if they register after 2010), the sum of (a) (i), (ii) and (iii) is divided by 5, which is the expected minimum number of registrants. The price so determined will constitute the net 2010 LoA price. If more than 5 registrants register by November 30, 2010, the over-payment collected will be reimbursed to all 2010 1000t registrants after this deadline. 1000t and above registrants that register after the 2010 registration deadline will pay the same as those registrants in the same tonnage category that register by November 30, 2010 and will be reimbursed their over-payment, if any, after the 2013 registration deadline has passed.

(ii) *100 - 999 Tons*

The price for registrants in the 100-999t category will be calculated mid 2011 based on the declared firm license LoA intentions received by the Project Manager by mid-2011. Any payments collected from those registrants will be reimbursed to the 1000t registrants that have previously registered, after the 2013 registration deadline has passed.

(iii) *1 - 99 Tons*

The price for registrants in the 1 - 99 t category will be set by the Consortium later based on whether new studies will be conducted after 2010 and how many registrants will register in the higher tonnage categories.

(c) Advantage Compensation

In addition to (a), there is a fee for Advantage Compensation which is set at 30% of the net price of the LoA set under (a) and (b) above.

(d) Handling fee

The fee for handling the LoA request and the joint submission is expected to be € 1,000.

(e) Update of the Joint Registration Dossier after submission of the Joint Registration Dossier in 2010

Any update of the Joint Registration Dossier required after it has been submitted for the first time shall be financed by all Parties according to the same rules as set out above, except that any new studies that will be required will have to be paid by all Parties that require them at equal shares without the 30% reduction set out above at (a) (ii). Also, any ongoing and future expenses to manage the Consortium during the registration and LoA issuing procedures and other additional unexpected costs that might arise through further requirements from the ECHA after registration can be charged to Parties later according to the same schedule.

- (f) The Lead Registrant will calculate the price of the LoA based on the above rules as soon as the Joint Registration Dossier has been accepted by ECHA in the Technical Completeness Check and will issue a proforma invoice or payment notice accordingly to be paid within 30 days of issuance by each Party; following payment, the joint submission tokens will be issued. Formal invoices will be issued after the respective registration deadlines, and for the first time after November 30, 2010. In case the amounts received from the proforma invoices and payment notices are not sufficient to cover the cost, LoA will only be issued after receipt of the amounts from the final invoices. Should new studies have to be purchased or performed as deemed necessary by the Consortium or pursuant to ECHA's request, or technical responses to ECHA be necessary after registration, the Lead Registrant will issue instructions to issue additional invoices to be paid under the same terms. No interest shall be applicable in either case on both sides. However, a Party that does not pay an invoice or payment notice within the 30 days of issuance shall at no time be entitled to participate in the joint submission and receive an LoA, or its LoA and permission to participate in the joint submission shall be considered as revoked. The final settlement shall be handled by an independent auditor appointed by the Lead Registrant on June 1, 2022.
- (g) The Lead Registrant will issue LoAs after receipt of a Party's payment and after the Party has had the option to inspect the Joint Registration Dossier as far as it is concerned by it pursuant to 3. (f).
- (h) The Lead Registrant shall at all times account for the cost of the Joint Registration Dossier and shall keep records thereof for the duration of this SIEF Agreement. Any Party shall have the right to have the accounts audited at its own cost upon prior notice of at least five working days.

## **5. Miscellaneous Provisions**

- (a) *Assignment.* This SIEF Agreement is linked to the joint registration obligations of REACH and can therefore not be assigned or transferred by the Parties without prior approval of the Lead Registrant unless the assignee is an Affiliate or successor in law subject to REACH registration of the Substance, or is an Only Representative or Third Party Representative replacing a previous Only Representative or Third Party Representative of the same principal and the assignment/transfer has been communicated to the Lead Registrant or its Trustee.
- (b) *Communications.* All communications within the framework of this SIEF Agreement shall be done by electronic mail and shall be considered valid upon receipt of an automatic confirmation of receipt received by the sender. The Lead Registrant shall install an email address or other electronic platform for communication within the SIEF. The parties agree to regularly and proactively communicate within this platform provided, and to answer any information and communication requests of the Lead Registrant within five working days at the latest unless the Lead Registrant expressly provides a longer response time. Unless other contact details are indicated below, the contact details available in REACH-IT shall be used at all times. The Parties shall at all times keep their REACH-IT contact details updated and functional. In case the REACH-IT contact details of a Party are not functional and no other valid and functional contact information has been provided below, the Lead Registrant shall be considered as released from any obligations under this SIEF Agreement.
- (c) *Compliance.* The Parties shall at all times comply with the applicable laws, including EU competition law. The Lead Registrant has used its best efforts to acquire use/referral rights for all key and supporting studies used in the Joint Registration Dossier including for all members of the joint submission. Independent from this Agreement, Parties assert to observe copyrights and access rights of the public domain literature used for the Joint Registration Dossier required for their respective registration purposes under REACH in sufficient time

before the submission of their respective individual dossier to ECHA. The Lead Registrant will provide Parties with a list of key and supporting studies and the respective ownership. After this Agreement has been signed and the payment obligation has been fulfilled, the access right to the key and supporting studies owned by the Consortium members individually or jointly is considered as granted. Parties will fully indemnify Lead Registrant in the event Parties have no sufficient access or copyrights to refer to all required key and supporting studies.

- (d) *Confidentiality and Non-Use.* Each Party agrees to: (i) treat all Information as confidential and not disclose it to third parties, unless regulatory disclosure requirements are applicable; (ii) immediately advise the other Parties in writing of any disclosure or misuse by any Party or a third party of Information, as well as any request by competent authorities relating to disclosure of Information; (iii) disclose Information as required for legal and/or regulatory purposes including for purposes of REACH only in a form reflecting the minimum information required to be disclosed; (iv) use the Information only for purposes and as permitted hereunder; (v) not to analyze, test or reverse engineer or have analyzed, tested or reverse engineered any samples, formulas, combination of formulas or any technical or scientific methodology, chemistry or know-how provided by any of the Parties for their components, formulations or processes; (vi) not to file any patent, utility model or design application based upon Information or samples; *and* (vii) not to disclose Information to their employees, Affiliates, external experts and/or other consultants; unless the Party is an Only Representative or Third Party representative to the non-EU manufacturer or legal entity represented by the Third Party Representative, in which case it should only disclose Information on a strictly need-to-know basis to the extent permitted and absolutely necessary hereunder. Each Party shall have in place policies and procedures to ensure compliance herewith and shall ensure that the aforementioned entities and persons also have such policies and procedures in place.

The confidentiality and non-disclosure obligations above shall not apply to Information for which the receiving Party can reasonably demonstrate that such Information (i) was known to the receiving Party on a non-confidential basis prior to its disclosure pursuant to this SIEF Agreement; (ii) is publicly known at the time of disclosure or thereafter becomes publicly known without breach of the terms of this SIEF Agreement on the part of the receiving Party; (iii) becomes known to the receiving Party through disclosure by sources other than the disclosing Party, having a right to disclose such Information; (iv) was independently developed by the receiving Party without access to the disclosing Party's information, as evidenced by documentary records; *or* (v) becomes subject to disclosure to governmental authorities with lawful authority to seek such Information.

Specific items of Information shall not fall within any exception merely because they are combined with more general Information falling within any exception. Likewise, any combination of specific items of Information shall not fall within any exception merely because the specific items fall within any exception, but only if the combination itself, and its principles of operation, fall within any exception.

The obligations on confidentiality and non-use shall remain in effect and shall survive the duration of this SIEF Agreement. In the event of non-compliance with the duties here above, Parties are entitled to exclude the breaching Party from any further cooperation hereunder by decision of the Consortium. The obligation to render compensation for damages in accordance with the applicable legal provisions shall remain unaffected.

- (e) *Dispute resolution and applicable law.* Any dispute hereunder that cannot be settled amicably shall be resolved by arbitration with a single arbitrator to be appointed by the Brussels Bar. The arbitration rules of the International Court of Arbitration ("ICC") shall be applicable. The arbitration decision, including on the payment of the cost of arbitration, shall be binding on the Parties. The place of any hearing shall be Brussels and the language of the arbitration

shall be English. Belgian law shall govern this SIEF Agreement. If at any time any provision of this SIEF Agreement is or becomes invalid or illegal in any respect, this shall have no effect on the validity of the remainder of this SIEF Agreement. The invalid provisions are to be replaced retroactively by provisions which come closest to achieving the objectives.

- (f) *Duration and Termination.* This SIEF Agreement shall be in force until December 31, 2022, although its provisions under 5. (d), (e) and (h) shall survive its term indefinitely. Furthermore, the confidentiality obligations related to studies shall survive for 12 years after their first submission to ECHA, and all other confidentiality obligations shall survive until June 1, 2023.

The Lead Registrant has the right to terminate its functions as Lead Registrant provided another SIEF member has validly agreed to replace it within the SIEF, has agreed to the terms of this SIEF Agreement, and has taken up its functions accordingly. The other Parties must be informed about this replacement without undue delay.

Parties have the right to terminate this SIEF Agreement at the latest by October 30, 2010. The provisions under 5. (d), (e) and (h) shall survive termination as specified above.

- (g) *Individual Responsibility.* Notwithstanding the cooperation within this SIEF Agreement, the Parties and their Affiliates remain individually responsible for compliance with REACH, in particular, but not limited to, their individual submission of information required under Article 11 (1) REACH.
- (h) *Liability.* The Lead Registrant shall only be liable to the other Parties in connection with the activities contemplated in this SIEF Agreement, including delays in the completion and submission of the Joint Registration Dossier, in case of gross negligence or wilful misconduct. He shall not be liable for consequential damage and lost profits. This limitation of liability does not apply in case of claims for death, personal injury or wilful misconduct. No warranty for acceptance of the Joint Registration Dossier or Information it contains, or acceptance of a study by ECHA at dossier evaluation (according to Title VI REACH) is given.
- (i) *Payments.* All payments due hereunder shall be net payments, *i.e.*, free of any bank or transfer charges or similar charges and without deduction of any taxes, levies or other dues payable. If payer is required to withhold any tax or to make any other deduction from any such payments, then the said payments shall be increased to the extent necessary to ensure that, after making of the required deduction or withholding, payee receives and retains (free from any liability in respect of any such deduction or withholding) a net sum equal to the sum which it would have received and so retained had no such deduction or withholding been made or required to be made (gross-up amount). If upon application of the beneficiary any withholding tax can be reduced, or refunded, or an exemption from withholding tax is granted, payer shall file on behalf of payee for such reduction, refund or exemption. Payee shall render any assistance to payer to obtain such withholding tax reduction, refund or exemption. Payer shall be entitled to any refund of withholding taxes. Indirect taxes, including but not limited to Value Added Tax (“VAT”), Goods and Service Tax (“GST”), service tax, business tax, as applicable pursuant to the relevant tax law, shall be borne by payer. However, payer is entitled to withhold any payment of indirect taxes unless payee has provided payer with a sufficient invoice for purposes of indirect taxation.
- (j) *Rights.* This SIEF Agreement does not grant any ownership rights or change existing ownership rights to any of the Information provided under this SIEF Agreement to the Parties. Neither this SIEF Agreement nor any disclosure of Information shall vest any present or future rights in any patents, trade secrets, or property rights, and no license is granted. No legal entity or partnership for legal or tax purposes is created under this SIEF Agreement. The Parties are themselves responsible for any fiscal payments and declarations related to the working of this SIEF Agreement.

- (k) ***Validity / Entry into Effect.*** This SIEF Agreement enters into effect between the Lead Registrant and the respective Party by:
- (i) the Party filling in the required information below and returning a signed PDF copy of this SIEF Agreement,
  - (ii) *and/or* payment by the Party for the LoA; *or*
  - (iii) the non-objection by the SIEF member to become a Party to this SIEF Agreement, *provided that* not more than half of the SIEF members have communicated their objection to this Agreement by October 30 , 2010.

**Lanxess Deutschland GmbH**



**COMPANY - SIEF Member:**

\_\_\_\_\_

(Print company name and address)

**(NON-EU/EEA) COMPANIES REPRESENTED :**

\_\_\_\_\_

(In case the Party is an Only Representative (“OR”); indicate here the names of all the affiliated companies of one group represented by the OR to which this SIEF Agreement should be applicable; In case the OR has pre-registered for several groups of companies, he must sign separate SIEF Agreements for each of the groups; Likewise, if a Third Party Representative (“TPR”)<sup>2</sup> represents several independent companies for the Substance, he must sign separate SIEF agreements for each of the independent companies represented)

**AUTHORIZED REPRESENTATIVE:**

\_\_\_\_\_

(Print name of Representative authorized to sign this SIEF Agreement)

**SIGNATURE:**

\_\_\_\_\_

(Signature of Authorized Representative)

**Registration scope by group, *i.e.* affiliated companies together (take highest applicable tonnage band in the group total; intermediate category only applicable if all group members have exclusive intermediate use only):**

- A: Registering as an intermediate
- B: Tonnage band < 10 t
- C: Tonnage band 10 – 100 t
- D: Tonnage band 100 – 1,000 t
- E: Tonnage band > 1,000 t
- F: Without CSR**

<sup>2</sup> Unless the TPR voluntarily discloses the identity of the registrants represented, the Lead Registrant reserves the right and the TPR hereby agrees to have the identity of the registrants represented audited by an independent neutral auditor with appropriate confidentiality obligations.

| <b>Substance</b>  | <b>Registration Scope (List A - F and exact details of all Affiliates to be covered)</b> |
|---|--|
| <b>TCPP_Trис(2-chloro-1-methylethyl) phosphate_multiconstituent substance</b><br><br>(EINECS No. 911-815-4) |  |

**CONTACT INFORMATION:**

\_\_\_\_\_

(Print contact details for person responsible for SIEF communication)

## Annex 1

### MODEL LETTER OF ACCESS<sup>3</sup>

*[address of regulatory authority]*

**Letter of Access for the registration of the substance TCPP\_Trис(2-chloro-1-methylethyl)phosphate\_multiconstituent substance (“TCPP”) under REACH**

Dear Sirs,

The Consortium for the registration of the substance TCPP under REACH (here thereafter referred to as “the Consortium”) agrees that the data, studies, summaries, waiving argumentations, reasoning of testing proposals and/or assessments owned or subject to a use right by the members of the Consortium and submitted by the Consortium in support of the registration under REACH of Substance TCPP [EINECS No. 911-815-4]

(hereinafter collectively referred to as the “Joint Registration Dossier”), may be referred to

*[Company XYZ / List of Affiliates]* (hereafter the “Applicant”)

in order to support the Applicant’s registration of the above-mentioned substance under REACH.

**In his registration, the Applicant acts: *(please tick appropriate box)***

- for itself
- as an Only Representative pursuant to Article 8 REACH for the following non-EU manufacturer:  
\_\_\_\_\_
- as a Third Party Representative<sup>4</sup> pursuant to Article 4 REACH.

**In the Joint Registration Dossier, the Applicant would like to be covered concerning the following parts/documents: *(please tick appropriate box(es))***

- Mandatory joint parts of the Joint Registration Dossier (Article 10 (a) (iv), (vi), (vii) and (ix) REACH)
- Voluntary joint parts of the Joint Registration Dossier (Article 10 (a) (v) and (b) REACH) in as far as applicable (namely the Chemical Safety Report (“CSR”) and guidance on safe use)
- ‘Opt-out’ pursuant to Article 11 (3) for the following mandatory joint parts:

Article 10 (a)

<sup>3</sup> For information purposes only. The official Letter of Access will only be issued once payment has been made in accordance with Section 4 of the SIEF Agreement.

<sup>4</sup> Unless the TPR voluntarily discloses the identity of the registrants represented, the Lead Registrant reserves the right and the TPR hereby agrees to have the identity of the registrants represented audited by an independent neutral auditor with appropriate confidentiality obligations.

- (iv)
- (vi)
- (vii)
- (ix)

Intermediate Joint Registration Dossier (Articles 17, 18, 19 REACH)

On request, the Applicant may receive a summary of the *Information* submitted by the Consortium in support of the registration under *REACH*.

The right to refer to the Joint Registration Dossier is subject to the following restrictions:

1. The right of referral only gives access to the Joint Registration Dossier of the substance for the registration as specified above.
2. The right of referral is solely granted in favor of the Applicant and the Affiliates listed herein and is not transferable to any other entity or person.
3. Unless otherwise specified below at 6., the Applicant is not authorized to receive any copies of the Joint Registration Dossier nor is the Applicant authorized to inspect or view the Joint Registration Dossier at ECHA or any related specific document in whole or in part, outside the general inspection period granted by the Consortium and outside the conditions set out in the SIEF Agreement.
4. This Letter of Access shall in no event be construed as granting the Applicant any property rights whatsoever in the Joint Registration Dossier.
5. Nothing in this Letter of Access shall require *the Consortium members* to file any additional data.
6. In as far as the Joint Registration Dossier may contain a CSR, use and exposure scenarios and guidance on safe use, and the Applicant is participating in joint submission for those parts of the dossier, or has otherwise acquired rights to them, those will be made available to the Applicant as needed and may be used by it in as far as needed for purposes of safe handling and elaboration of eSDS and must be filed by him individually as set out in the SIEF Agreement.

If the Applicant has chosen to himself prepare the CSR, use and exposure scenarios and guidance on safe use but does otherwise fully participate in the Joint Registration Dossier, he shall receive an electronic copy of parts Article 10 (a) (iv), (vi), (vii) and (ix) REACH of the Joint Registration Dossier and shall have the rights to use for this purpose only the (robust) study summaries and other information contained therein as well as to refer to the full study reports on which basis the (robust) study summaries have been developed.

In any event and regardless of the rights and restrictions set forth above, the Applicant shall always receive the proposed classification and labeling as well as the PNECs and DNELs.

This Letter of Access does not create any rights for third parties or any liability towards third parties in relation to the data for which access is granted.

Signature: Authorized Representative of the Consortium.

The Applicant hereby declares that he is aware of, agrees and complies with the provisions of the SIEF

Agreement issued by the Lead Registrant Lanxess Deutschland GmbH, which shall apply in its entirety in addition to the provisions set out hereunder.

**Annex 2**  
**Project Manager**

**The Project Manager is:**

McKenna Long & Aldridge LLP

2 Avenue de Tervueren | 1040 Brussels, Belgium

**Annex 3**  
**Sameness Criteria**

| TCPP REACH Registration substance sameness           |             |  |
|--|-------------|--|
|  |             | Date: 2010-06-30   |
| Type of substance                                    | Composition | multi-constituent substance of Tris(2-chloro-1-methylethyl)phosphate, Bis(1-chloro-2-propyl)-2-chloropropyl phosphate, Bis(2-chloropropyl)-1-chloro-2-propyl phosphate and Tris(2-chloropropyl)phosphate |
|  | Origin      | organic  |
| Reference EC number (s) of the main component - TCPP |             | 911-815-4  |
| Other EC numbers considered to be the same substance |             | ./.  |
| EC name of TCPP                                      |             |  |
| Other Name:  |             |  |
| CAS number (s) of TCPP                               |             |  |
| SMILES   |             |  |
| Structural formula (or formulae) of TCPP             |             | C9H18Cl3O4P  |
| Structure image or diagram (indicative)              |             |  |
| Molecular weight (or range) of TCPP                  |             | 327,57   |

- Note: this proposal is based on §5 of the Guidance Document "identification and naming under REACH".

### Substance Composition

| Constituent                                     | EINECS number | CAS-Number | Concentration range (W7W) |
|---|---------------|------------|---------------------------|
| tris(2-chloro-1-methylethyl) phosphate          | 237-158-7     | 13674-84-5 | 50.0 — 85.0 %             |
| bis(1-chloro-2-propyl)-2-chloropropyl phosphate | -             | 76025-08-6 | 15.0 — 40.0 %             |
| bis(2-chloropropyl)-1-chloro-2-propyl phosphate | -             | 76649-15-5 | < 15 %                    |
| tris(2-chloropropyl) phosphate                  | 228-150-4     | 6145-73-9  | < 1%                      |

| Impurities                                     | EINECS number | CAS-Number | Concentration range |
|--|---------------|------------|---------------------|
| Ether of tris(2-chloro-1-methylethyl)phosphate |               |            | 0.1 - 4.5%          |

If hazardous impurities are present, any specific risks or impacts on PBT assessment and classification and labelling relating to impurities must be evaluated by the registrant in its own company-specific part of the registration dossier.

The Registration Dossier prepared, and in particular the Classification and Labelling proposals and hazard assessment, will address the substance including only the impurities indicated above. In any case, each registrant will have to specify separately all impurities in their own product, in the company-specific (confidential) part of the joint registration dossier.

If a Registrant's substance is not to conform to the above then they will have to, in the company specific (confidential) part of the registration dossier, justify that the differences do not modify the IUCLID5 and CSR conclusions, if appropriate, and do not require a different Classification and Labelling or different exposure scenarios.

\*\* Note: The Guidance Document "identification and naming under REACH" states: << No differentiation is made between technical pure or analytical grades of the substances. The "same" substance may have all grades of any production process with different amounts of different impurities. However, well-defined substances should normally contain the main constituent(s) and the only impurities allowed are those derived from the production process (for details see Chapter 4.2) and additives which are necessary to stabilize the substance. .... >>

Analytical method

GC-MS

| Proposed tonnage band   |                     |
|---|---------------------|
| The TCPP Consortium is currently planning to prepare registration for this substance conform to the REACH deadline for the following tonnage band | > 1,000 tonnes/year |



**Annex 4**  
**Consortium Budget and LoA Calculation**

| TCPP REACH Consortium : 2009 & 2010 Budgets   |         |             |                 |             |                 |              |                 |
|---|---------|-------------|-----------------|-------------|-----------------|--------------|-----------------|
| Consortium Management   |         | <u>2009</u> |                 | <u>2010</u> |                 | <u>TOTAL</u> |                 |
|   |         | Events      | Total           | Events      | Total           | Events       | Total           |
| Consortium Management, Meeting, Financial Management  | Kellen  |             | € 14,525        |             | -               |              | € 14,525        |
| Administrative cost of the Consortium   | Lanxess |             | € 3,400         |             | -               |              | € 3,400         |
| Accounting  | MLA     |             | -               |             | € 5,000         |              | € 5,000         |
| General Management of the Consortium  | MLA     |             | -               |             | € 5,000         |              | € 5,000         |
| Legal advice (drafting of SIEF agts, other miscellaneous legal advice if needed) - estimate                                   | MLA     |             | -               |             | € 10,000        |              | € 10,000        |
| MLA On-Line tool  | MLA     |             | -               |             | € 1,500         |              | € 1,500         |
| LoA Management (€ 1,000 per LoA) - estimate   | MLA     |             | -               | 2           | € 2,000         |              | € 2,000         |
| SIEF Communication  | MLA     |             | -               |             | € 5,000         |              | € 5,000         |
| Steering Committee - face to face meeting (1 full day) : organization, preparation of agenda, attendance, drafting of minutes | MLA     |             | -               | 1           | € 10,200        |              | € 10,200        |
| Steering Committee - phone meeting (2 hours) : organization, preparation of agenda, attendance, drafting of minutes           | MLA     |             | -               | 1           | € 2,550         |              | € 2,550         |
| Administrative cost of the Consortium   | Lanxess |             | -               |             | € 14,600        |              | € 14,600        |
| <b>Total Consortium Management</b>  |         |             | <b>€ 17,925</b> |             | <b>€ 55,850</b> |              | <b>€ 73,775</b> |

| Dossier Preparation  |         | 2009   |                 | 2010   |                  | TOTAL  |                  |
|--|---------|--------|-----------------|--------|------------------|--------|------------------|
|  |         | Events | Total           | Events | Total            | Events | Total            |
| IUCLID 5 Core Data + Hazard Assessment + Derivation of DNELS & PNECS | Lanxess |        | € 38,480        |        | € 57,271         |        | € 95,751         |
| CSR - CSA - ESDS   | Arcadis |        | € 27,152        |        | € 48,560         |        | € 75,712         |
| Dossier finalization (IUCLID)  | Lanxess |        | -               |        | € 3,600          |        | € 3,600          |
| Dossier finalization (CSR)   | Arcadis |        | -               |        | € 12,000         |        | € 12,000         |
| <b>Total Dossier Preparation</b>                                     |         |        | <b>€ 65,632</b> |        | <b>€ 121,431</b> |        | <b>€ 187,063</b> |

|                                       |  | 2009   |          | 2010   |                  | TOTAL  |                  |
|---------------------------------------|--|--------|----------|--------|------------------|--------|------------------|
|                                       |  | Events | Total    | Events | Total            | Events | Total            |
| New studies                           |  |        | -        |        | -                |        | -                |
| Existing studies (Consortium Members) |  |        | -        |        | € 970,412        |        | € 970,412        |
| <b>Total Study Compensation</b>       |  |        | <b>-</b> |        | <b>€ 970,412</b> |        | <b>€ 970,412</b> |

**TCPP REACH Consortium - Study Valuation**

| IUCLID 5 | Section name                                 | REACH Annex | REACH number | Title and possession form (paper, electrical etc.) of the study report | Owner   | Study compensation only REACH use |
|----------|--|-------------|--------------|--|---|-----------------------------------|
| 4.2      | Melting point / freezing point               | 7           | 7.2          |  | ICL, Albemarle, Lanxess, Elastogran           | € 636.93                          |
| 4.3      | Boiling point                                | 7           | 7.3          |  | ICL, Albemarle, Lanxess, Elastogran           | € 679.46                          |
| 4.4      | Density                                      | 7           | 7.4          |  | ICL, Albemarle, Lanxess, Elastogran           | € 620.87                          |
| 4.6      | Vapour pressure                              | 7           | 7.5          |  | ICL, Albemarle, Lanxess, Elastogran           | € 2,626.16                        |
| 4.7      | Partition coefficient                        | 7           | 7.8          |  | ICL, Albemarle, Lanxess, Elastogran           | € 3,069.36                        |
| 4.8      | Water solubility                             | 7           | 7.7          |  | ICL, Albemarle, Lanxess, Elastogran           | € 3,603.29                        |
| 4.11     | Flash point                                  | 7           | 7.9          |  | Albemarle                                     | € 764.51                          |
| 4.12     | Auto flammability                            | 7           | 7.12         |  | Albemarle                                     | € 1,264.41                        |
| 5.1.2    | Hydrolysis                                   | 8           | 9.2.2.1      |  | ICL, Albemarle, Lanxess, Elastogran, Clariant | € 5,981.43                        |
| 5.2.1    | Biodegradation in water: screening tests     |             |              | key study SCAS   | ICL, Albemarle, Lanxess, Elastogran, Clariant | € 9,100.00                        |
| 5.4.1    | Adsorption / desorption                      | 8           | 9.3.1        | key study  | ICL, Albemarle, Lanxess, Elastogran           | € 3,393.25                        |
| 5.4.1    |  |             |              | key study  | ICL, Albemarle                                | € 37,570.38                       |
| 6.1.1    | Short-term toxicity to fish                  | 8           | 9.1.3        |  | Albemarle                                     | € 7,455.63                        |
| 6.1.3    | Short-term toxicity to aquatic invertebrates | 7           | 9.1.1        |  | Albemarle                                     | € 7,045.22                        |
| 6.1.4    | Long-term toxicity to aquatic invertebrates  | 9           | 9.1.5        |  | ICL, Albemarle                                | € 15,857.66                       |
| 6.1.5    | Toxicity to aquatic algae and cyanobacteria  | 7           | 9.1.2        |  | ICL, Albemarle, Lanxess, Elastogran           | € 12,269.00                       |
| 6.1.7    | Toxicity to microorganisms                   | 8           | 9.1.4        |  | Lanxess                                       | € 2,093.18                        |
| 6.3.1    |  |             | (long-term)  |  | ICL, Albemarle, Lanxess, Elastogran           | € 5,140.80                        |
| 6.3.3    |  |             | (long-term)  |  | ICL, Albemarle, Lanxess, Elastogran           | € 6,149.52                        |

| IUCLID 5     | Section name                    | REACH Annex           | REACH number           | Title and possession form (paper, electronical etc.) of the study report | Owner                               | Study compensation only REACH use |
|--------------|---------------------------------|-----------------------|------------------------|--|-------------------------------------|-----------------------------------|
| 6.3.4        | Toxicity to soil microorganisms | 9                     | 9.4.2                  |  | ICL, Albemarle                      | € 18,084.84                       |
| 7.1.1        | Basic toxicokinetics            | 8                     | 8.8.1                  |  | ICL, Albemarle, Lanxess, Elastogran | € 103,324.73                      |
| 7.1.2        | Dermal absorption               | na                    | not req.               |  | ICL, Albemarle, Lanxess, Elastogran | € 31,737.13                       |
| 7.2.1        | Acute toxicity: oral            | 7                     | 8.5.1                  | key study  | Lanxess                             | € 1,392.93                        |
| 7.2.2        | Acute toxicity: inhalation      | 8                     | 8.5.2                  | key study  | Albemarle                           | € 10,877.94                       |
| 7.2.3        | Acute toxicity: dermal          | 8                     | 8.5.3                  |  | Albemarle                           | € 1,900.40                        |
| 7.3.1        |                                 | 8                     | 8.1.1                  | key study  | Lanxess                             | € 1,128.33                        |
| 7.3.2        |                                 | 8                     | 8.2.1                  | key study  | Lanxess                             | € 1,526.18                        |
| 7.4.1        | Skin sensitisation              | 7                     | 8.3                    |  | ICL, Albemarle, Lanxess, Elastogran | € 2,577.92                        |
| 7.5.1        | Repeated dose toxicity: oral    | 8                     | 8.6.1a                 |  | Lanxess                             | € 44,944.90                       |
| 7.5.1        |                                 | 9                     | 8.6.2a                 |  | ICL                                 | € 101,199.00                      |
| 7.6.1        |                                 | 8                     | 8.4.3 (MLA)            | UDS  | Lanxess                             | € 15,108.73                       |
| 7.6.1        |                                 |                       | (Mouse Lymphoma assay) |  | ICL, Albemarle, Lanxess, Elastogran | € 10,334.48                       |
| 7.6.2        | Genetic toxicity: in vivo       | 8 or 9 or 10 optional | 8.4                    | Comet assay  | ICL, Albemarle, Lanxess, Elastogran | € 36,445.49                       |
| 7.6.2        | Genetic toxicity: in vivo       |                       |                        | UDS  | ICI, Albemarle, Lanxess, Elastogran | € 36,323.41                       |
| 7.6.2        | Genetic toxicity: in vivo       |                       |                        | mouse micronucleus   | Lanxess                             | € 10,010.00                       |
| 7.8.1        |                                 | 9                     | 8.7.3                  |  | ICL, Albemarle, Lanxess, Elastogran | € 418,374.36                      |
| <b>TOTAL</b> |                                 |                       |                        |  |                                     | <b>€ 970,411.79</b>               |

## Published Data - Tcpp

### 4.1 Appearance/physical state/colour

#### **4.1, key, 2, Roempp, 2008**

**Purpose Flag** key study, robust study summary, used for MSDS  
**Study result type** experimental result  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Data from peer-reviewed handbook or collection of data.

| Reference type             | Author         | Year | Title                  | Bibliographic source            | Testing laboratory |
|----------------------------|----------------|------|------------------------|---------------------------------|--------------------|
| review article or handbook | Roempp         | 2008 | Roempp Lexikon online. | Georg Thieme Verlag, Stuttgart. | Electronic release |
| <b>Data access</b>         | data published |      |                        |                                 |                    |

### 4.22 Viscosity

#### **4.22, key, 2, Coomber, 1993**

**Purpose Flag** key study, robust study summary  
**Study result type** experimental result  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Basic data given

| Reference type   | Author                          | Year | Title  | Bibliographic source  | Testing laboratory         |
|------------------|---------------------------------|------|--|---|----------------------------|
| study report     | Coomber GJ                      | 1993 | Determination of phys-chem data  | Report no EPL 3/3144/93   | SGS Redwood Ltd; Derby, UK |
| secondary source | [ECB] European Chemicals Bureau | 2008 | European Union Risk Assessment Report, Tris (2-chloro-1-methylethyl) phoshate (TCPP) | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |                            |

### 5.3.1 Bioaccumulation: aquatic / sediment

#### **5.3.1, Key, 2, MITI, 1992**

**Purpose Flag** key study, used for classification, robust study summary, used for MSDS  
**Study result type** experimental result  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Data from peer-reviewed handbook or collection of data

| Reference type             | Author  | Year | Title  | Bibliographic source  | Testing laboratory                             |
|----------------------------|---|------|--|---|--|
| review article or handbook | MITI, Ed. by CITI, Ministry of International Trade & Industry Japan | 1992 | Biodegradation and Bioaccumulation. Data of Existing Chemicals Based | Japan Chemical Industry Ecology-Toxicology & Information Center | Chemicals Inspection & Testing Institute Japan |

|                            |   |      |  |   |   |
|----------------------------|---|------|--|---|---|
|                            |   |      | on the CSCL Japan                          |   |   |
| review article or handbook | National Institute of Technology and Evaluation, NITE (Japan) | 2009 | Chemical Risk Information Platform (CHRIP) | <a href="http://www.safe.nite.go.jp/english/Haz_start.html">http://www.safe.nite.go.jp/english/Haz_start.html</a> | Chemicals Evaluation and research Institute (CERI), Japan |
| <b>Data access</b>         | data published  |      |  |   |   |

### **5.3.2 Bioaccumulation: terrestrial**

#### **5.3.2, key, 2, EU-Risk Assessment, 2008**

**Purpose Flag** key study, robust study summary  
**Study result type** estimated by calculation  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Peer reviewed data obtained from Risk Assessment

| Reference type            | Author                          | Year | Title   | Bibliographic source  | Testing laboratory |
|---------------------------|---------------------------------|------|---|---|--------------------|
| other: EU Risk Assessment | [ECB] European Chemicals Bureau | 2008 | Risk Assessment Tris (2-chloro-1-methylethyl) phosphate | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |                    |
| <b>Data access</b>        | data published                  |      |   |   |                    |

### **5.4.1 Adsorption / desorption**

#### **5.4.1, Key, 1, Cuthbert & Mullee, 2002**

**Purpose Flag** key study, robust study summary  
**Study result type** experimental result  
**Reliability** 1 (reliable without restriction)  
**Rationale for reliability incl. deficiencies** GLP guideline study

| Reference type   | Author                          | Year | Title   | Bibliographic source  | Testing laboratory |
|------------------|---------------------------------|------|---|---|--------------------|
| secondary source | [ECB] European Chemicals Bureau | 2008 | European Union Risk Assessment Report, Tris (2-chloro-1-methylethyl) phosphate (TCPP) | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |                    |

#### **5.4.1, key, 1, Schaefer, 2006, TDCP**

**Purpose Flag** key study, robust study summary  
**Study result type** read-across from supporting substance (structural analogue or surrogate)  
**Reliability** 1 (reliable without restriction)  
**Rationale for reliability incl. deficiencies** GLP guideline study

| Reference type | Author | Year | Title | Bibliographic source | Testing laboratory |
|----------------|--------|------|-------|----------------------|--------------------|
|----------------|--------|------|-------|----------------------|--------------------|

|                  |                                 |      |   |   |
|------------------|---------------------------------|------|---|---|
| secondary source | [ECB] European Chemicals Bureau | 2008 | European Union Risk Assessment Report, Tris[2-chloro-1-(chloromethyl)ethyl]phosphate (TDCP) | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |
|------------------|---------------------------------|------|---|---|

### **7.1.1 Basic toxicokinetics**

#### **rel 2-key, Minegishi et al, 1988**

|   |  |
|---|--|
| <b>Purpose Flag</b>                                 | key study, used for classification, robust study summary, used for MSDS          |
| <b>Study result type</b>                            | experimental result  |
| <b>Reliability</b>                                  | 2 (reliable with restrictions)   |
| <b>Rationale for reliability incl. deficiencies</b> | peer-reviewed publication: well reported study not conducted to GLP or Guideline |

| Reference type | Author  | Year | Title   | Bibliographic source         | Testing laboratory |
|----------------|---|------|---|------------------------------|--------------------|
| publication    | Minegishi K-I, Kurebayashi H, Nambaru S, Morimoto K, Takahashi T and Yamaha T | 1988 | Comparative studies on absorption, distribution, and excretion of flame retardants halogenated alkyl phosphate in rats. | Eisei Kagaku, 34(2), 102-114 |                    |

**Data access** data published

### **7.5.1 Repeated dose toxicity: oral**

#### **rel2-key, Stauffer Chemical Co, 1981**

|   |   |
|---|---|
| <b>Purpose Flag</b>                                 | key study, used for classification, robust study summary, used for MSDS   |
| <b>Study result type</b>                            | experimental result   |
| <b>Reliability</b>                                  | 2 (reliable with restrictions)  |
| <b>Rationale for reliability incl. deficiencies</b> | Well reported study, non-guideline, non-GLP.<br>Endpoint study record transferred from Draft EU Risk Assessment, 2008 |

| Reference type | Author                 | Year | Title   | Bibliographic source                                   | Testing laboratory |
|----------------|------------------------|------|---|--|--------------------|
| publication    | Freudenthal R.I. et al | 1999 | A Subchronic Toxicity Study of Fyrol PCF in Sprague-Dawley Rats | International Journal of Toxicology, 18: 173-176, 1999 |                    |

### **7.8.2 Developmental toxicity / teratogenicity**

#### **resultfeld prüfen! rel 2-key, Kawasaki, 1982**

|                                  |   |
|----------------------------------|---|
| <b>Purpose Flag</b>              | key study, used for classification, robust study summary, used for MSDS |
| <b>Study result type</b>         | experimental result   |
| <b>Reliability</b>               | 2 (reliable with restrictions)  |
| <b>Rationale for reliability</b> | No OECD Guideline or GLP defined.                                       |

## incl. deficiencies

| Reference type     | Author          | Year | Title  | Bibliographic source        | Testing laboratory   |
|--------------------|-----------------|------|--|-----------------------------|--|
| publication        | Kawasaki et al. | 1982 | Studies on the toxicity of insecticides and food additives in pregnant rats & foetal toxicity of Tris-(chloropropyl) phosphate | Oyo Yakuri, 24(5), 697-702. | National Institute of Hygienic Sciences, Osaka Branch, 1-43, 1-chome, Hoenzaka, Higashi-ku, Osaka, 540 |
| <b>Data access</b> | data published  |      |  |                             |  |



**TCPP REACH Consortium : LoA price calculation  
(complete dossier with CSR - 1000t)**

|  | <b>Assumption : 5 SIEF members</b> |                        |
|--|------------------------------------|------------------------|
|  | <b>Consortium Budgets</b>          | <b>LOA Calculation</b> |
| 2009 Budget - Consortium Management                        | € 17,925                           | € 3,585                |
| 2009 Budget - Dossier Preparation                          | € 65,632                           | € 13,126               |
| 2010 Budget - Consortium Management<br>less LOA management | € 53,850                           | € 10,770               |
| 2010 Budget - Dossier Preparation                          | € 121,431                          | € 24,286               |
| Existing Studies - Consortium Members                      | € 970,412                          | € 194,082              |
| Expenses   | € 300                              | € 60                   |
| <b>TOTAL</b>   | <b>€ 1,229,549</b>                 | <b>€ 245,910</b>       |
| Admin cost (30%)   |                                    | € 73,773               |
| <b>TOTAL WITH ADMIN COST</b>                               |                                    | <b>€ 319,683</b>       |
| Handling Fee   |                                    | € 1,000                |
| <b>LOA PRICE</b>   |                                    | <b>€ 320,683</b>       |

**Notes**

1. 2013 & 2018 prices will be calculated later based on number of 2010 registrations and expression of interest for 2013 registrations. If a SIEF member wishes to register in 2010 despite a lower tonnage band, initially the 2010 price will be charged and a reimbursement will be made once the lower tonnage prices will have been determined.

**TCPP REACH Consortium : LoA price calculation  
(complete dossier w/o CSR - 1000t)**

|  | <b>Assumption : 5 SIEF members</b> |                        |
|--|------------------------------------|------------------------|
|  | <b>Consortium Budgets</b>          | <b>LOA Calculation</b> |
| 2009 Budget - Consortium Management                        | € 17,925                           | € 3,585                |
| 2009 Budget - Dossier Preparation                          | € 65,632                           | € 13,126               |
| 2010 Budget - Consortium Management<br>less LOA management | € 53,850                           | € 10,770               |
| 2010 Budget - Dossier Preparation                          | € 121,431                          | € 24,286               |
| Existing Studies - Consortium Members                      | € 970,412                          | € 194,082              |
| Expenses   | € 300                              | € 60                   |
| Deduction if no CSR  | € (87,712)                         | € (17,542)             |
| <b>TOTAL</b>   | <b>€ 1,141,837</b>                 | <b>€ 228,367</b>       |
| Admin cost (30%)   |                                    | € 68,510               |
| <b>TOTAL WITH ADMIN COST</b>                               |                                    | <b>€ 296,878</b>       |
| Handling Fee   |                                    | € 1,000                |
| <b>LOA PRICE</b>   |                                    | <b>€ 297,878</b>       |

**Notes**

1. 2013 & 2018 prices will be calculated later based on number of 2010 registrations and expression of interest for 2013 registrations. If a SIEF member wishes to register in 2010 despite a lower tonnage band, initially the 2010 price will be charged and a reimbursement will be made once the lower tonnage prices will have been determined.

### TCPP REACH Consortium : LoA price calculation (intermediate)

|  | Assumption : 5 SIEF members |                 |
|--|-----------------------------|-----------------|
|  | Consortium Budgets          | LOA Calculation |
| 2009 Budget - Consortium Management                        | € 17,925                    | € 3,585         |
| 2009 Budget - Dossier Preparation                          | € 65,632                    | € 13,126        |
| 2010 Budget - Consortium Management<br>less LOA management | € 53,850                    | € 10,770        |
| 2010 Budget - Dossier Preparation                          | € 121,431                   | € 24,286        |
| Existing Studies - Consortium Members                      | € 45,650                    | € 9,130         |
| Expenses   | € 300                       | € 60            |
| Deduction if no CSR  | € (87,712)                  | € (17,542)      |
| <b>TOTAL</b>   | <b>€ 217,076</b>            | <b>€ 43,415</b> |
| Admin cost (30%)   |                             | € 13,025        |
| <b>TOTAL WITH ADMIN COST</b>                               |                             | <b>€ 56,440</b> |
| Handling Fee   |                             | € 1,000         |
| <b>LOA PRICE</b>   |                             | <b>€ 57,440</b> |

#### **Notes**

1. Intermediate LoA is only for intermediate according to Article 17/18 REACH under strictly controlled conditions

Albany  
Atlanta  
Brussels  
Denver  
Los Angeles  
Miami  
New York  
Northern Virginia  
Orange County  
Rancho Santa Fe  
San Diego  
San Francisco  
Seoul  
Washington, DC

# McKenna Long & Aldridge<sup>LLP</sup>

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Ursula Schliessner <sup>1</sup>

Nora Wouters <sup>2</sup>

<sup>1</sup> Member of the Düsseldorf Bar

<sup>2</sup> Advocaat-Avocat - Member of the Brussels Bar

October 8, 2013

URSULA SCHLIESSNER

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## TO WHOM IT MAY CONCERN

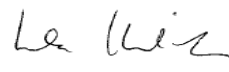
**Re: REACH: SIEF Communication TCPP EC 911-815-4**  
**Recalculation of LoA price for 1000t category**  
**Calculation of LoA prices for 100-1000t, 10-100t and below 10t/intermediate categories**

Dear SIEF Members,

Further to the last SIEF communication of October 14, 2010, a total of 12 SIEF Members have participated in joint registration and some additional work was carried out by the TCPP Consortium. We have therefore revised the SIEF Agreement division factor from 5 to 12 and have recalculated the LoA price for 1000t. This SIEF communication also contains the newly adopted prices for 100-1000t, 10-100t, and below 10t (same price as intermediate price and CSR not charged). The new price calculations are **attached**.

This is in accordance with Section 4 of the SIEF agreement entitling the Consortium in 2013 to fix new prices dependant on the number of previous registrants in the higher tonnage categories. These new prices will remain fixed for the future until further notice. The SIEF Agreement is considered amended accordingly.

Kind regards,



Ursula Schliessner  
Partner  
McKenna Long & Aldridge LLP

BR:302642.1

**TCPP REACH Consortium : LoA price calculation**

**Above 1000 tons with CSR**

|   | Assumption : 12 SIEF members |                  |
|---|------------------------------|------------------|
|   | Consortium Budgets           | LOA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607         |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043          |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| Existing Studies - Consortium Members                           | € 970,412                    | € 80,868         |
| Expenses  | € 600                        | € 50             |
| <b>TOTAL</b>  | <b>€ 1,308,370</b>           | <b>€ 109,031</b> |
| Admin cost (30%)  |                              | € 32,709         |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 141,740</b> |
| Handling Fee  |                              | € 1,000          |
| <b>LOA PRICE</b>  |                              | <b>€ 142,740</b> |

**TCPP REACH Consortium : LoA price calculation**

**Above 1000 tons without CSR**

|   | Assumption : 12 SIEF members |                  |
|---|------------------------------|------------------|
|   | Consortium Budgets           | LOA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607         |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043          |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| Deduction if no CSR   | € (87,712)                   | € (7,309)        |
| Existing Studies - Consortium Members                           | € 970,412                    | € 80,868         |
| Expenses  | € 600                        | € 50             |
| <b>TOTAL</b>  | <b>€ 1,220,658</b>           | <b>€ 101,721</b> |
| Admin cost (30%)  |                              | € 30,516         |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 132,238</b> |
| Handling Fee  |                              | € 1,000          |
| <b>LOA PRICE</b>  |                              | <b>€ 133,238</b> |

**TCPP REACH Consortium : LoA price calculation**

**100 to 1000 tons with CSR**

|   | Assumption : 12 SIEF members |                  |
|---|------------------------------|------------------|
|   | Consortium Budgets           | LOA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607         |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043          |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| Existing Studies - Consortium Members (99%)                     | € 960,708                    | € 80,059         |
| Expenses  | € 600                        | € 50             |
| <b>TOTAL</b>  | <b>€ 1,298,666</b>           | <b>€ 108,222</b> |
| Admin cost (30%)  |                              | € 32,467         |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 140,689</b> |
| Handling Fee  |                              | € 1,000          |
| <b>LOA PRICE</b>  |                              | <b>€ 141,689</b> |

**TCPP REACH Consortium : LoA price calculation**

**100 to 1000 tons without CSR**

|   | Assumption : 12 SIEF members |                  |
|---|------------------------------|------------------|
|   | Consortium Budgets           | LOA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607         |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043          |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750            |
| Deduction if no CSR   | € (87,712)                   | € (7,309)        |
| Existing Studies - Consortium Members (99%)                     | € 960,708                    | € 80,059         |
| Expenses  | € 600                        | € 50             |
| <b>TOTAL</b>  | <b>€ 1,210,954</b>           | <b>€ 100,913</b> |
| Admin cost (30%)  |                              | € 30,274         |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 131,187</b> |
| Handling Fee  |                              | € 1,000          |
| <b>LOA PRICE</b>  |                              | <b>€ 132,187</b> |



**TCPP REACH Consortium : LoA price calculation**

**10 to 100 tons with CSR**

|   | Assumption : 12 SIEF members |                 |
|---|------------------------------|-----------------|
|   | Consortium Budgets           | LOA Calculation |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963         |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607        |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043         |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| Existing Studies - Consortium Members (39%)                     | € 378,461                    | € 31,538        |
| Expenses  | € 600                        | € 50            |
| <b>TOTAL</b>  | <b>€ 716,419</b>             | <b>€ 59,702</b> |
| Admin cost (30%)  |                              | € 17,910        |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 77,612</b> |
| Handling Fee  |                              | € 1,000         |
| <b>LOA PRICE</b>  |                              | <b>€ 78,612</b> |

**TCPP REACH Consortium : LoA price calculation**

**10 to 100 tons without CSR**

|   | Assumption : 12 SIEF members |                 |
|---|------------------------------|-----------------|
|   | Consortium Budgets           | LOA Calculation |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963         |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607        |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043         |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| Deduction if no CSR   | € (87,712)                   | € (7,309)       |
| Existing Studies - Consortium Members (39%)                     | € 378,461                    | € 31,538        |
| Expenses  | € 600                        | € 50            |
| <b>TOTAL</b>  | <b>€ 628,707</b>             | <b>€ 52,392</b> |
| Admin cost (30%)  |                              | € 15,718        |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 68,110</b> |
| Handling Fee  |                              | € 1,000         |
| <b>LOA PRICE</b>  |                              | <b>€ 69,110</b> |

**TCPP REACH Consortium : LoA price calculation**

**Below 10 tons / Intermediate**

|   | Assumption : 12 SIEF members |                 |
|---|------------------------------|-----------------|
|   | Consortium Budgets           | LOA Calculation |
| 2009 Budget Consortium Management & Dossier Preparation         | € 83,557                     | € 6,963         |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation | € 175,281                    | € 14,607        |
| 2012 Budget Consortium Management & Dossier Preparation         | € 24,520                     | € 2,043         |
| 2013 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2014 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2015 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2016 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2017 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| 2018 Budget Consortium Management & Dossier Preparation         | € 9,000                      | € 750           |
| Deduction because no CSR  | € (87,712)                   | € (7,309)       |
| Existing Studies - Consortium Members (5%)                      | € 48,521                     | € 4,043         |
| Expenses  | € 600                        | € 50            |
| <b>TOTAL</b>  | <b>€ 298,767</b>             | <b>€ 24,897</b> |
| Admin cost (30%)  |                              | € 7,469         |
| <b>TOTAL WITH ADMIN COST</b>                                    |                              | <b>€ 32,366</b> |
| Handling Fee  |                              | € 1,000         |
| <b>LOA PRICE</b>  |                              | <b>€ 33,366</b> |

# JONES DAY

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Columbia Bar  
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Member of the Berlin Bar  
Member of the  
Frankfurt am Main Bar  
Member of the Swedish Bar

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September 25, 2018

## TO WHOM IT MAY CONCERN

**VIA E-MAIL**

**Re: REACH SIEF Communication TCPP (EC 911-815-4)**

Dear SIEF Members and Co-Registrants,

### (1) Update REACH Registration

The Lead Registrant ('LR') LANXESS Deutschland GmbH has recently updated the REACH registration dossier with the data from the pre-natal developmental toxicity (PNDT) study on a second species (rabbit) required by ECHA's September 22, 2016 compliance check decision. There are no changes to the classification of the substance from the results of this study.

### (2) Chemical Safety Report (CSR)

As a result of the dossier update mentioned under (1) above and the changes under (3) below, the LR is also in the process of updating the CSR. Two versions of the updated CSR will be available shortly (see below at (3)) upon request. CSR version A containing only the generic chapters 1 to 8 of the CSR will be available for free for all co-registrants. CSR version B containing the generic chapters 1 to 8 of the CSR and the recently revised Chemical Safety Assessment (CSA) for identified typical uses of TCPP (e.g. chapters 9 and 10) will be available for free for those co-registrants that have purchased LoAs including CSA. The other co-registrants may receive the new CSR version B if they upgrade their LoA license to include the CSA.

The current versions of the IUCLID and CSR (Version 2018-07-06) are in the meantime available upon request. For an overview of uses supported in the current CSA, please see at **Annex 1** hereto.

### (3) Substance Identifier

As ECHA had requested the substance identifier to be changed due to the last dossier update from March 23, 2018 (*EC List number 911-815-4 not being appropriate for the substance actually manufactured / imported*), we had contacted all registrants upon ECHA's request to receive their consent to the change and to submit to ECHA a Joint Submission Plan (JSP). The consolidated consents and JSP have been forwarded to ECHA on August 14. We understand that ECHA has in the meantime sent invoices to the individual co-registrants for the required changes. Once these invoices will have

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MEXICO CITY • MIAMI • MILAN • MINNEAPOLIS • MOSCOW • MUNICH • NEW YORK • PARIS • PERTH • PITTSBURGH • RIYADH  
SAN DIEGO • SAN FRANCISCO • SÃO PAULO • SHANGHAI • SILICON VALLEY • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

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September 25, 2018

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been paid and ECHA will enable the Substance Identifier change (**NEW EC List number 807-935-0**; CAS number 1244733-77-4 will remain the same), the LR (and co-registrants) will have to again update the dossier and the CSR.

For the *presently* used boundary composition of the substance, please see at **Annex 2** hereto.

**(4) LoA Price**

Since additional co-registrants have purchased letters of access, the LoA price calculation has been updated. A copy is attached for your perusal as **Annex 3**.

Kind regards,



Ursula Schliessner

Partner

**JONES DAY® - One Firm Worldwide<sup>SM</sup>**

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 September 25, 2018  
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**Annex 1 – Overview of Uses**

**Table 9.0. Overview on uses**

| Exposure Scenario   | Manufacture | Formulation | End use    |              |          | Service life | Environmental Release Category (ERC) | Process Category (PROC)              | Sector of Use (SU) | Product Category (PC) | Article Category (AC) |
|---|-------------|-------------|------------|--------------|----------|--------------|--------------------------------------|--------------------------------------|--------------------|-----------------------|-----------------------|
|   |             |             | Industrial | Professional | Consumer |              |                                      |                                      |                    |                       |                       |
| 9.1. Exposure scenario 1: Manufacture - Manufacture of TCPP   | X           |             |            |              |          |              | 1                                    | 1, 2, 3, 8b, 9, 15                   | -                  | -                     | -                     |
| 9.2. Exposure scenario 2: Formulation or re-packing - Formulation into mixture                                  |             | X           |            |              |          |              | 2                                    | 1, 2, 3, 4, 5, 8a, 8b, 9, 15         | -                  | -                     | -                     |
| 9.3. Exposure scenario 3: Use at industrial sites - Rigid foam production                                       |             |             | X          |              |          |              | 5                                    | 1, 2, 3, 4, 5, 7, 8a, 8b, 9, 15, 21  | 12, 19             | 32                    | -                     |
| 9.4. Exposure scenario 4: Widespread use by professional workers - Rigid (spray) foam, professional application |             |             |            | X            |          |              | 8c, 8f                               | 5, 8a, 8b, 10, 11, 21                | 19                 | 32                    | -                     |
| 9.5. Exposure scenario 5: Use at industrial sites - Flexible foam production                                    |             |             | X          |              |          |              | 5                                    | 1, 2, 3, 4, 5, 8a, 8b, 9, 14, 15, 21 | 12, 18             | 32                    | -                     |
| 9.6. Exposure scenario 6: Use at industrial sites - Foam granules and rebound PUR foam                          |             |             | X          |              |          |              | 5                                    | 1, 2, 3, 4, 5, 8a, 8b, 9, 14, 15, 21 | 18, 19             | 32                    | -                     |

TO WHOM IT MAY CONCERN

September 25, 2018

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| Exposure Scenario  | Manufacture | Formulation | End use    |              |          | Service life | Environmental Release Category (ERC) | Process Category (PROC)                     | Sector of Use (SU) | Product Category (PC) | Article Category (AC) |
|--|-------------|-------------|------------|--------------|----------|--------------|--------------------------------------|---|--------------------|-----------------------|-----------------------|
|  |             |             | Industrial | Professional | Consumer |              |                                      |   |                    |                       |                       |
| 9.7. Exposure scenario 7: Widespread use by professional workers - One-component PUR foams, professional application (foaming) |             |             |            | X            |          |              | 8c, 8f                               | 10, 11,21                                   | 19                 | 1, 32                 | -                     |
| 9.8. Exposure scenario 8: Consumer use - One-component PUR foams, consumer application (foaming)                               |             |             |            |              | X        |              | 8c, 8f                               | -   | -                  | 1, 32                 | -                     |
| 9.9. Exposure scenario 9: Use at industrial sites - CASE, industrial application   |             |             | X          |              |          |              | 5                                    | 1, 2, 3, 4, 6, 7, 8a, 8b, 9, 10, 13, 14, 15 | 12                 | 1, 9a, 32             | -                     |
| 9.10. Exposure scenario 10: Widespread use by professional workers - CASE, professional application                            |             |             |            | X            |          |              | 8c, 8f                               | 5, 8a, 8b, 10, 11,21                        | 12                 | 1, 9a, 32             | -                     |
| 9.11. Exposure scenario 11: Widespread use by professional workers - Laboratory use, professional                              |             |             |            | X            |          |              | 8c                                   | 15  | -                  | -                     | -                     |
| 9.12. Exposure scenario 12: Service life consumers) - Rigid foam, service life   |             |             |            |              | X        |              | 10a, 11a                             | -   | -                  | -                     | 13                    |
| 9.13. Exposure scenario 13: Service life consumers) - Flexible foam, service life  |             |             |            |              | X        |              | 10a, 11a                             | -   | -                  | -                     | 1, 5                  |



---

**Name:** Reaction products of phosphoroyl trichloride and 2-methyloxirane (TCPP) / Reaction products of phosphoryl trichloride and 2-methyloxirane / 1244733-77-4

---

**Legal entity owner:** LANXESS Deutschland GmbH / Köln / Germany

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**Printing date:** 2018-03-09



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# Reaction products of phosphoroyl trichloride and 2-methyloxirane (TCPP)

## CORE

### General information

**SUBSTANCE:** Reaction products of phosphoroyl trichloride and 2-methyloxirane (TCPP)

---

**UUID:** IUC5-5051eca9-7238-4e69-8ecd-af714385225f

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

#### Substance name

Reaction products of phosphoroyl trichloride and 2-methyloxirane (TCPP)

#### Public name

TCPP

#### Legal entity flags

EU: REACH

#### Legal entity

[Lanxess Deutschland GmbH / Köln / Germany](#)

### Role in the supply chain

---

#### Role flags

EU: REACH

#### Manufacturer

false

#### Importer

false

#### Only representative

false

#### Downstream user

false

### Identification of substance

---

**Reference substance flags**

EU: REACH

**Reference substance**

[Reaction products of phosphoryl trichloride and 2-methyloxirane / Reaction products of phosphoryl trichloride and 2-methyloxirane / 1244733-77-4 / 911-815-4](#)

**Type of substance**

---

**Type of substance**

UVCB

**Origin**

organic

**Other identifiers**

**Flags**

EU: REACH

**Identity**

TCPP

**Contact persons**

**Person flags**

EU: REACH

## Composition

### FLEXIBLE\_RECORD: 1.2 boundary composition of the substance

---

**UUID:** e31c4248-9861-3261-8288-824867215a8d

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General Information

---

### Name

Reaction products of phosphoroyl trichloride and 2-methyloxirane (TCPP)

### Type of composition

boundary composition of the substance

### State / form

liquid

## Degree of purity

---

EU: REACH

100.0

% (w/w)

## Constituents

---

EU: REACH

### Reference substance

[tris\(1-chloropropan-2-yl\) phosphate, isomer mixture / tris\(1-chloropropan-2-yl\) phosphate / 13674-84-5 / 237-158-7](#)

### EC number

237-158-7

### EC name

EC Inventory

### CAS number

13674-84-5

### CAS name

2-Propanol, 1-chloro-, 2,2',2"-phosphate

### IUPAC name

tris(1-chloropropan-2-yl) phosphate

### Typical concentration

% (w/w)

### Concentration range

>= 50.0

<= 85.0

% (w/w)

EU: REACH

**Reference substance**

[bis\(1-chloropropan-2-yl\) 2-chloropropyl phosphate, isomer mixture / bis\(1-chloropropan-2-yl\) 2-chloropropyl phosphate / 76025-08-6](#)

**EC number****EC name****CAS number****CAS name**

76025-08-6

Phosphoric acid, bis(2-chloro-1-methylethyl) 2-chloropropyl ester

**IUPAC name**

bis(1-chloropropan-2-yl) 2-chloropropyl phosphate

**Typical concentration**

% (w/w)

**Concentration range**

&gt;= 15.0

&lt;= 40.0

% (w/w)

EU: REACH

**Reference substance**

[1-chloropropan-2-yl bis\(2-chloropropyl\) phosphate, isomer mixture / 1-chloropropan-2-yl bis\(2-chloropropyl\) phosphate / 76649-15-5](#)

**EC number****EC name****CAS number****CAS name**

76649-15-5

Phosphoric acid, 2-chloro-1-methylethyl bis(2-chloropropyl) ester

**IUPAC name**

1-chloropropan-2-yl bis(2-chloropropyl) phosphate

**Typical concentration**

% (w/w)

**Concentration range**

&gt;= 0.0

&lt;= 15.0

% (w/w)

EU: REACH

**Reference substance**

[tris\(2-chloropropyl\) phosphate, isomer mixture / tris\(2-chloropropyl\) phosphate / 6145-73-9 / 228-150-4](#)

**EC number****EC name**

228-150-4

EC Inventory

**CAS number****CAS name**

6145-73-9

1-Propanol, 2-chloro-, 1,1',1"-phosphate

**IUPAC name**

tris(2-chloropropyl) phosphate

**Typical concentration**

% (w/w)

**Concentration range**

>= 0.0

<= 1.0

% (w/w)

EU: REACH

**Reference substance**

[unspecified phosphate based impurities / unspecified phosphate based impurities](#)

**EC number**

**EC name**

**CAS number**

**CAS name**

not applicable

**IUPAC name**

unspecified phosphate based impurities

**Typical concentration**

% (w/w)

**Concentration range**

>= 0.1

<= 4.5

% (w/w)

---

# REFERENCE\_SUBSTANCE: Reaction products of phosphoryl trichloride and 2-methyloxirane

---

**UUID:** IUC5-65ec0cab-680c-46eb-a8b6-3011f59e83fb

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General information

---

**Reference substance name**

Reaction products of phosphoryl trichloride and 2-methyloxirane

## Inventory

---

**Inventory name**

911-815-4

**Inventory**

EC

**Inventory number**

911-815-4

**CAS number**

**Molecular formula**

**Description**

## Reference substance information

---

EU: REACH

**IUPAC name**

Reaction products of phosphoryl trichloride and 2-methyloxirane

**Description**

The registered substance (commonly abbreviated TCPP) is obtained by reacting phosphoryl tri chloride (EC No. 233-046-7, CAS No. 10025-87-3) with 3 equivalents 2-methyloxirane (EC No. 200-879-2, CAS No. 75-56-9) at elevated temperature in presence of a catalyst. The crude product is washed and dehydrated to remove acidic impurities and residual catalyst yielding the commercial product.

**Synonyms**

**Identity**

TCPP

---

## CAS information

**CAS number**  
1244733-77-4

**CAS name**  
Phosphoric trichloride, reaction products with propylene oxide

## Related substances

### Identifiers of related substances

**Identifier**  
CAS name

**Identity**  
2-Propanol, 1-chloro-, 2,2',2''-phosphate

**Identifier**  
CAS number

**Identity**  
13674-84-5

### Relation

other: In the past the registered substance was identified by the CAS name and CAS number of the main constituent (group) tris(1-chloropropan-2-yl) phosphate (TCPP).

## Molecular and structural information

EU: REACH

**Molecular formula**  
C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P

**Molecular weight**

327.57

### SMILES notation

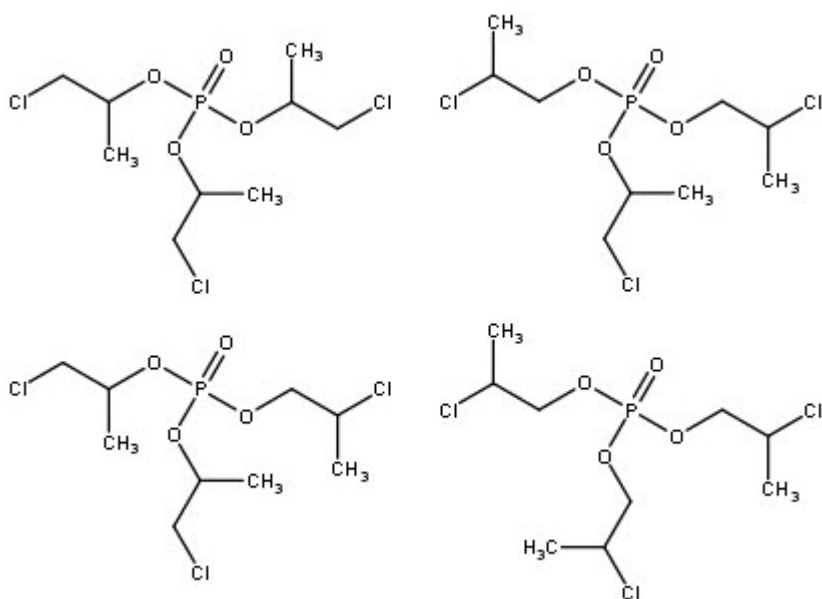
CC(CCl)OP(=O)(OC(C)CCl)OC(C)CCl.CC(Cl)COP(=O)(OC(C)CCl)OC(C)CCl.CC(Cl)COP(=O)(OCC(C)Cl)OC(C)CCl.CC(Cl)COP(=O)(OCC(C)Cl)OCC(C)Cl

### InChI

InChI=1/4C9H18Cl3O4P/c1-7(12)6-14-17(13,15-8(2)4-10)16-9(3)5-11;1-7(11)5-14-17(13,15-6-8(2)12)16-9(3)4-10;1-7(10)4-14-17(13,15-5-8(2)11)16-6-9(3)12;1-7(4-10)14-17(13,15-8(2)5-11)16-9(3)6-12/h4\*7-9H,4-6H2,1-3H3



## Structural formula



## Remarks

The EC entry 911-815-4 currently assigned does not specifically correspond to the registered substance. This identifier cannot be modified or deleted at this stage in the present registration update for technical reasons.

---

# REFERENCE\_SUBSTANCE: tris(1-chloropropan-2-yl) phosphate, isomer mixture

---

**UUID:** ECB5-47e6e44d-93dd-471d-948d-c48e554a5d02

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General information

---

**Reference substance name**

tris(1-chloropropan-2-yl) phosphate, isomer mixture

## Inventory

---

**Inventory name**

tris(2-chloro-1-methylethyl) phosphate

**Inventory**

EC

**Inventory number**

237-158-7

**CAS number**

13674-84-5

**Molecular formula**

C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P

**Description**

## Reference substance information

---

EU: REACH

**IUPAC name**

tris(1-chloropropan-2-yl) phosphate

**Description**

Constituent group consisting of the stereoisomers tris(2R)-1-chloropropan-2-yl phosphate, bis(2R)-1-chloropropan-2-yl (2S)-1-chloropropan-2-yl phosphate, (2R)-1-chloropropan-2-yl bis(2S)-1-chloropropan-2-yl phosphate and tris(2S)-1-chloropropan-2-yl phosphate.

**Synonyms**

|                         |
|-------------------------|
| <b>Identity</b><br>TCPP |
|-------------------------|

## CAS information

---

**CAS number**

13674-84-5

---

**CAS name**

2-Propanol, 1-chloro-, 2,2',2''-phosphate

**Molecular and structural information**

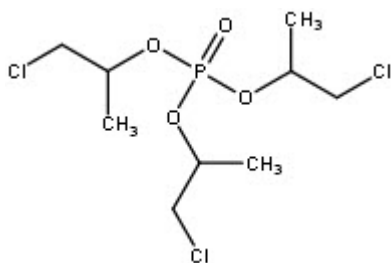
EU: REACH

**Molecular formula**C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P**Molecular weight**

327.5696

**SMILES notation**CC(CCl)OP(=O)(OC(C)CCl)OC(C)CCl**InChI**

InChI=1/C9H18Cl3O4P/c1-7(4-10)14-17(13,15-8(2)5-11)16-9(3)6-12/h7-9H,4-6H2,1-3H3

**Structural formula**

---

# REFERENCE\_SUBSTANCE: bis(1-chloropropan-2-yl) 2-chloropropyl phosphate, isomer mixture

---

**UUID:** IUC5-c7455b40-11e4-4bbd-938c-3177f48aa9f7

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General information

---

**Reference substance name**

bis(1-chloropropan-2-yl) 2-chloropropyl phosphate, isomer mixture

## No inventory information available

---

**Justification**

not yet assigned

## Reference substance information

---

EU: REACH

**IUPAC name**

bis(1-chloropropan-2-yl) 2-chloropropyl phosphate

**Description**

Constituent group consisting of the stereoisomers bis(2R)-1-chloropropan-2-yl (2R)-2-chloropropyl phosphate, bis(2R)-1-chloropropan-2-yl (2S)-2-chloropropyl phosphate, (2R)-1-chloropropan-2-yl (2S)-1-chloropropan-2-yl (2R)-2-chloropropyl phosphate, (2R)-1-chloropropan-2-yl (2S)-1-chloropropan-2-yl (2S)-2-chloropropyl phosphate, bis(2S)-1-chloropropan-2-yl (2S)-2-chloropropyl phosphate and bis(2S)-1-chloropropan-2-yl (2R)-2-chloropropyl phosphate.

## CAS information

---

**CAS number**

76025-08-6

**CAS name**

Phosphoric acid, bis(2-chloro-1-methylethyl) 2-chloropropyl ester

## Molecular and structural information

---

EU: REACH

**Molecular formula**

C9H18Cl3O4P

**Molecular weight**

327.57

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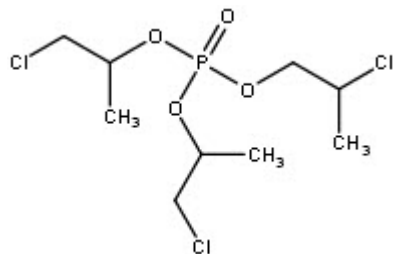
**SMILES notation**

CC(Cl)COP(=O)(OC(C)CCl)OC(C)CCl

**InChI**

InChI=1/C9H18Cl3O4P/c1-7(12)6-14-17(13,15-8(2)4-10)16-9(3)5-11/h7-9H,4-6H2,1-3H3

**Structural formula**



---

# REFERENCE\_SUBSTANCE: 1-chloropropan-2-yl bis(2-chloropropyl) phosphate, isomer mixture

---

**UUID:** IUC5-e4fd6e26-0fe8-4442-a857-75cf0246b536

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General information

---

**Reference substance name**

1-chloropropan-2-yl bis(2-chloropropyl) phosphate, isomer mixture

## No inventory information available

---

**Justification**

not yet assigned

## Reference substance information

---

EU: REACH

**IUPAC name**

1-chloropropan-2-yl bis(2-chloropropyl) phosphate

**Description**

Constituent group consisting of the stereoisomers (2R)-1-chloropropan-2-yl bis(2R)-2-chloropropyl phosphate, (2R)-1-chloropropan-2-yl bis(2S)-2-chloropropyl phosphate, (2R)-1-chloropropan-2-yl (2R)-2-chloropropyl (2S)-2-chloropropyl phosphate, (2S)-1-chloropropan-2-yl (2R)-2-chloropropyl (2S)-2-chloropropyl phosphate, (2S)-1-chloropropan-2-yl bis(2R)-2-chloropropyl phosphate and (2S)-1-chloropropan-2-yl bis(2S)-2-chloropropyl phosphate.

## CAS information

---

**CAS number**

76649-15-5

**CAS name**

Phosphoric acid, 2-chloro-1-methylethyl bis(2-chloropropyl) ester

## Molecular and structural information

---

EU: REACH

**Molecular formula**

C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P

**Molecular weight**

327.57

---

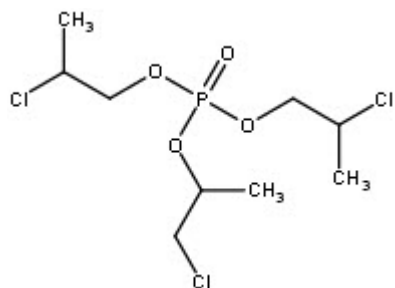
**SMILES notation**

CC(Cl)COP(=O)(OCC(C)Cl)OC(C)CCl

**InChI**

InChI=1/C9H18Cl3O4P/c1-7(11)5-14-17(13,15-6-8(2)12)16-9(3)4-10/h7-9H,4-6H2,1-3H3

**Structural formula**



---

# REFERENCE\_SUBSTANCE: tris(2-chloropropyl) phosphate, isomer mixture

---

**UUID:** ECB5-f8f92f9f-2719-4814-a7e9-41702907b123

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General information

---

**Reference substance name**

tris(2-chloropropyl) phosphate, isomer mixture

## Inventory

---

**Inventory name**

tris(2-chloropropyl) phosphate

**Inventory**

EC

**Inventory number**

228-150-4

**CAS number**

6145-73-9

**Molecular formula**

C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P

**Description**

## Reference substance information

---

EU: REACH

**IUPAC name**

tris(2-chloropropyl) phosphate

**Description**

Constituent group consisting of the stereoisomers tris(2R)-2-chloropropyl phosphate, bis(2R)-2-chloropropyl (2S)-2-chloropropyl phosphate, (2R)-2-chloropropyl bis(2S)-2-chloropropyl phosphate and tris(2S)-2-chloropropyl phosphate.

## CAS information

---

**CAS number**

6145-73-9

**CAS name**

1-Propanol, 2-chloro-, 1,1',1''-phosphate

## Molecular and structural information

---



EU: REACH

**Molecular formula**

C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P

**Molecular weight**

327.57

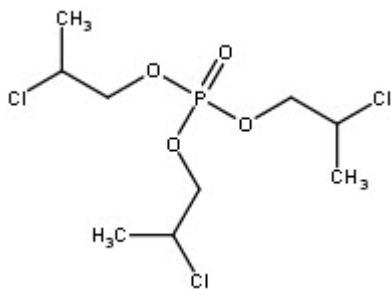
**SMILES notation**

CC(Cl)COP(=O)(OCC(C)Cl)OCC(C)Cl

**InChI**

InChI=1/C<sub>9</sub>H<sub>18</sub>Cl<sub>3</sub>O<sub>4</sub>P/c1-7(10)4-14-17(13,15-5-8(2)11)16-6-9(3)12/h7-9H,4-6H2,1-3H3

**Structural formula**



# REFERENCE\_SUBSTANCE: unspecified phosphate based impurities

---

**UUID:** IUC5-df5ecda5-707b-4aa0-aecf-25789802000f

**Dossier UUID:**

**Author:** LANXESS

**Date:** 2018-03-09

**Remarks:**

---

## General information

---

**Reference substance name**

unspecified phosphate based impurities

## No inventory information available

---

**Justification**

not applicable

## Reference substance information

---

EU: REACH

**IUPAC name**

unspecified phosphate based impurities

## CAS information

---

**CAS name**

not applicable

## Molecular and structural information

---

EU: REACH

**Molecular formula**

not applicable

**SMILES notation**

not applicable

**Remarks**

This reference substance merge impurities originating from side reactions of the synthesis process. Therefore, this reference substance can neither be characterized by a molecular formula, nor a molecular weight range.

| TCPP REACH Consortium : LoA price calculation   |                                 |                  |
|---|---------------------------------|------------------|
| Above 1000 tons with CSR  |                                 |                  |
|   | Currently : 17 SIEF members (*) |                  |
|   | Consortium Budgets              | LoA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                        | € 4.915          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                       | € 10.311         |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                        | € 1.442          |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                         | € 529            |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                         | € 529            |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                        | € 5.598          |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                        | € 941            |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                         | € 563            |
| 2018 Budget Consortium Management & Dossier Preparation   | € 140.000                       | € 8.750          |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                        | € 2.813          |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                        | € 2.000          |
| Existing Studies - Consortium Members   | € 970.412                       | € 57.083         |
| New Studies - PNDT 2nd species rabbit (OECD TG 414) and study monitoring (Jan. 2017) only above 1000 tons (incl. 30 % deduction for REACH only use) | € 156.100                       | € 12.008         |
| Expenses  | € 600                           | € 35             |
| <b>TOTAL</b>  | <b>€ 1.765.630</b>              | <b>€ 107.517</b> |
| Admin cost (30%)  |                                 | € 32.255         |
| <b>TOTAL WITH ADMIN COST</b>  |                                 | <b>€ 139.772</b> |
| Handling Fee  |                                 | € 1.000          |
| <b>LOA PRICE</b>  |                                 | <b>€ 140.772</b> |
| (*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).   |                                 |                  |

## TCPP REACH Consortium : LoA price calculation

### Above 1000 tons without CSR

|   | Currently: 17 SIEF members (*) |                  |
|---|--------------------------------|------------------|
|   | Consortium Budgets             | LoA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                       | € 4.915          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                      | € 10.311         |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                       | € 1.442          |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529            |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529            |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                       | € 5.598          |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                       | € 941            |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 563            |
| 2018 Budget Consortium Management & Dossier Preparation   | € 140.000                      | € 8.750          |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                       | € 2.813          |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                       | € 2.000          |
| Deduction for work on CSR   | € (151.172)                    | € (8.892)        |
| Existing Studies - Consortium Members   | € 970.412                      | € 57.083         |
| New Studies - PNDT 2nd species rabbit (OECD TG 414) and study monitoring (Jan. 2017) only above 1000 tons (incl. 30 % deduction for REACH only use) | € 156.100                      | € 12.008         |
| Expenses  | € 600                          | € 35             |
| <b>TOTAL</b>  | <b>€ 1.614.458</b>             | <b>€ 98.624</b>  |
| Admin cost (30%)  |                                | € 29.587         |
| <b>TOTAL WITH ADMIN COST</b>  |                                | <b>€ 128.212</b> |
| Handling Fee  |                                | € 1.000          |
| <b>LOA PRICE</b>  |                                | <b>€ 129.212</b> |

(\*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).

## TCPP REACH Consortium : LoA price calculation

### 100 to 1000 tons with CSR

|   | Currently: 17 SIEF members (*) |                  |
|---|--------------------------------|------------------|
|   | Consortium Budgets             | LoA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                       | € 4.915          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                      | € 10.311         |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                       | € 1.442          |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529            |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529            |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                       | € 5.598          |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                       | € 941            |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 563            |
| 2018 Budget Consortium Management & Dossier Preparation (excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons) | € 114.000                      | € 7.125          |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                       | € 2.813          |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                       | € 2.000          |
| Existing Studies - Consortium Members (99%)   | € 960.708                      | € 56.512         |
| Expenses  | € 600                          | € 35             |
| <b>TOTAL</b>  | <b>€ 1.573.826</b>             | <b>€ 93.313</b>  |
| Admin cost (30%)  |                                | € 27.994         |
| <b>TOTAL WITH ADMIN COST</b>  |                                | <b>€ 121.307</b> |
| Handling Fee  |                                | € 1.000          |
| <b>LOA PRICE</b>  |                                | <b>€ 122.307</b> |

(\*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).

## TCPP REACH Consortium : LoA price calculation

### 100 to 1000 tons without CSR

|   | Currently: 17 SIEF members (*) |                  |
|---|--------------------------------|------------------|
|   | Consortium Budgets             | LoA Calculation  |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                       | € 4.915          |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                      | € 10.311         |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                       | € 1.442          |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529            |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529            |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                       | € 5.598          |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                       | € 941            |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 563            |
| 2018 Budget Consortium Management & Dossier Preparation (excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons) | € 114.000                      | € 7.125          |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                       | € 2.813          |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                       | € 2.000          |
| Deduction for work on CSR   | € (151.172)                    | € (8.892)        |
| Existing Studies - Consortium Members (99%)   | € 960.708                      | € 56.512         |
| Expenses  | € 600                          | € 35             |
| <b>TOTAL</b>  | <b>€ 1.422.654</b>             | <b>€ 84.421</b>  |
| Admin cost (30%)  |                                | € 25.326         |
| <b>TOTAL WITH ADMIN COST</b>  |                                | <b>€ 109.747</b> |
| Handling Fee  |                                | € 1.000          |
| <b>LOA PRICE</b>  |                                | <b>€ 110.747</b> |

(\*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).

## TCPP REACH Consortium : LoA price calculation

### 10 to 100 tons with CSR

|   | Currently: 17 SIEF members (*) |                 |
|---|--------------------------------|-----------------|
|   | Consortium Budgets             | LoA Calculation |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                       | € 4.915         |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                      | € 10.311        |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                       | € 1.442         |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529           |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529           |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                       | € 5.598         |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                       | € 941           |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 563           |
| 2018 Budget Consortium Management & Dossier Preparation (excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons) | € 114.000                      | € 7.125         |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                       | € 2.813         |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                       | € 2.000         |
| Existing Studies - Consortium Members (39%)   | € 378.461                      | € 22.262        |
| Expenses  | € 600                          | € 35            |
| <b>TOTAL</b>  | <b>€ 991.579</b>               | <b>€ 59.063</b> |
| Admin cost (30%)  |                                | € 17.719        |
| <b>TOTAL WITH ADMIN COST</b>  |                                | <b>€ 76.782</b> |
| Handling Fee  |                                | € 1.000         |
| <b>LOA PRICE</b>  |                                | <b>€ 77.782</b> |

(\*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).

**TCPP REACH Consortium : LoA price calculation**

**10 to 100 tons without CSR**

**Currently: 17 SIEF members (\*)**

|   | <b>Currently: 17 SIEF members (*)</b> |                        |
|---|---------------------------------------|------------------------|
|   | <b>Consortium Budgets</b>             | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                              | € 4.915                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                             | € 10.311               |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                              | € 1.442                |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                               | € 529                  |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                               | € 529                  |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                              | € 5.598                |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                              | € 941                  |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                               | € 563                  |
| 2018 Budget Consortium Management & Dossier Preparation (excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons) | € 114.000                             | € 7.125                |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                              | € 2.813                |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                              | € 2.000                |
| Deduction for work on CSR   | € (151.172)                           | € (8.892)              |
| Existing Studies - Consortium Members (39%)   | € 378.461                             | € 22.262               |
| Expenses  | € 600                                 | € 35                   |
| <b>TOTAL</b>  | <b>€ 840.407</b>                      | <b>€ 50.171</b>        |
| Admin cost (30%)  |                                       | € 15.051               |
| <b>TOTAL WITH ADMIN COST</b>  |                                       | <b>€ 65.222</b>        |
| Handling Fee  |                                       | € 1.000                |
| <b>LOA PRICE</b>  |                                       | <b>€ 66.222</b>        |

(\*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).



## TCPP REACH Consortium : LoA price calculation

### Below 10 tons / Intermediate

Currently: 17 SIEF members (\*)

|   | Currently: 17 SIEF members (*) |                 |
|---|--------------------------------|-----------------|
|   | Consortium Budgets             | LoA Calculation |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                       | € 4.915         |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                      | € 10.311        |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                       | € 1.442         |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529           |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 529           |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                       | € 5.598         |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                       | € 941           |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                        | € 563           |
| 2018 Budget Consortium Management & Dossier Preparation (excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons) | € 114.000                      | € 7.125         |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                       | € 2.813         |
| 2020 Budget Consortium Management & Dossier Preparation   | € 32.000                       | € 2.000         |
| Deduction for work on CSR   | € (151.172)                    | € (8.892)       |
| Existing Studies - Consortium Members (5%)  | € 48.521                       | € 2.854         |
| Expenses  | € 600                          | € 35            |
| <b>TOTAL</b>  | <b>€ 510.467</b>               | <b>€ 30.763</b> |
| Admin cost (30%)  |                                | € 9.229         |
| <b>TOTAL WITH ADMIN COST</b>  |                                | <b>€ 39.992</b> |
| Handling Fee  |                                | € 1.000         |
| <b>LOA PRICE</b>  |                                | <b>€ 40.992</b> |

(\*) Changed back to 16 registrants as one formerly active registrant now inactive (from Jan. 2017).

# JONES DAY

AVOCATS – ADVOCATEN

MICHÈLE GRÉGOIRE<sup>(5)</sup>  
Avocat à la Cour de cassation  
Advocaat bij het Hof van Cassatie  
Member of the Belgian Supreme Court Bar

BERNARD AMORY  
CHANTAL BIERNAUX  
CHARLOTTE BREUVART<sup>(2)</sup>  
FERDINAND BRUGHMANS  
SÉBASTIEN CHAMPAGNE  
SERGE CLERCKX  
THOMAS DE MUYNCK<sup>(3)</sup>  
LAURENT DE MUYTER  
CHARLES de NAVACELLE<sup>(2)(3)</sup>  
YVAN DESMEDT  
MATTHIEU DUPLAT  
KAARLI H. EICHHORN<sup>(9)</sup>  
VANESSA FONCKE  
JÖRG HLADJK<sup>(8)</sup>  
URSULA SCHLISSNER<sup>(4)</sup>  
CRISTIANA SPONTONI<sup>(1)</sup>  
MARIO TODINO<sup>(6)</sup>  
JONAS VAN DEN BOSSCHE  
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<sup>(2)</sup>Member of the Paris Bar  
<sup>(3)</sup>Member of the New York Bar  
<sup>(4)</sup>Member of the Düsseldorf Bar  
<sup>(5)</sup>Admitted to the Paris Bar  
<sup>(6)</sup>Member of the Naples Bar  
<sup>(7)</sup>Member of the Berlin Bar  
<sup>(8)</sup>Member of the  
Frankfurt am Main Bar  
<sup>(9)</sup>Member of the Swedish Bar

DIRECT NUMBER: +32 (0)2 645 14 60  
E-MAIL: USCHLISSNER@JONESDAY.COM

April 22, 2022

BY ELECTRONIC MAIL

## TO WHOM IT MAY CONCERN

Dear Joint Registrants,

**Re: REACH SIEF Communication TCPP  
NEW EC List number 807-935-0; CAS number 1244733-77-4**

The TCPP Consortium has recently (March 2022) completed and submitted a REACH registration dossier update in preparation of the substance evaluation by the Danish Authority. Please note the NEW classification & labelling:

*Hazardous to the aquatic environment (long-term): Aquatic Chronic 3;  
Hazard statement: H412: Harmful to aquatic life with long lasting effects.*

The IUCLID file and CSR (for those that have opted to license it) are available upon request from [reachteam@jonesday.com](mailto:reachteam@jonesday.com).

We would also like to inform you that Denmark has started TCPP substance evaluation in March 2022.

Kind regards,

  
Ursula Schliessner

# JONES DAY

AVOCATS – ADVOCATEN

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1000 BRUSSELS, BELGIUM

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VANESSA FONCKE  
JÖRG HLADJK<sup>(8)</sup>  
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URSULA SCHLIESSNER<sup>(4)</sup>  
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MARIO TODINO<sup>(6)</sup>  
JONAS VAN DEN BOSSCHE  
ALEXANDRE VERHEYDEN<sup>(3)</sup>  
PHILIPP WERNER<sup>(7)</sup>

PRESLAVA DILKOVA<sup>(11)</sup>  
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GEOFFROY VAN DE WALLE  
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<sup>(7)</sup>Member of the Berlin Bar  
<sup>(8)</sup>Member of the  
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<sup>(9)</sup>Member of the Swedish Bar  
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<sup>(11)</sup>Member of the Plevan Bar

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March 27, 2023

BY ELECTRONIC MAIL

## TO WHOM IT MAY CONCERN

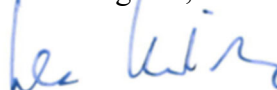
Dear Joint Registrants,

**Re: REACH SIEF Communication TCPP (EC 807-935-0; CAS 1244733-77-4)  
Replacement of previous SIEF Agreement**

Please find attached the new TCPP Cooperation Agreement for the period as of January 1, 2023, replacing the previous SIEF Agreement, operational until December 31, 2022. The new Agreement will be applicable to the relationship of Lead Registrant LANXESS Deutschland GmbH and the TCPP REACH Registration Consortium with both existing and new joint registrants.

For any information on purchasing a Letter of Access, please visit our website at <https://jonesdayreach.com/>.

Kind regards,



Ursula Schliessner

Attachment: Cooperation Agreement

AMSTERDAM • ATLANTA • BEIJING • BOSTON • BRISBANE • BRUSSELS • CHICAGO • CLEVELAND • COLUMBUS • DALLAS • DETROIT  
DUBAI • DÜSSELDORF • FRANKFURT • HONG KONG • HOUSTON • IRVINE • LONDON • LOS ANGELES • MADRID • MELBOURNE  
MEXICO CITY • MIAMI • MILAN • MINNEAPOLIS • MUNICH • NEW YORK • PARIS • PERTH • PITTSBURGH • SAN DIEGO • SAN FRANCISCO  
SÃO PAULO • SAUDI ARABIA • SHANGHAI • SILICON VALLEY • SINGAPORE • SYDNEY • TAIPEI • TOKYO • WASHINGTON

EUI-1213255430v1

**Cooperation Agreement for REACH compliance after May 31, 2018**  
**December 20, 2022**  
**Applicability as of July 1, 2018**

This Cooperation Agreement (hereinafter the "Agreement") is entered into by and between:

LANXESS Deutschland GmbH, Germany, as Lead Company under the Consortium Agreement for REACH registration of TCPP (hereafter the "**Consortium**"), acting in the name and on behalf of all members of the Consortium and having previously been appointed as Lead Registrant for the registration of TCPP (hereinafter referred to as "**Lead Registrant**")

and

The joint registrant (not being a Consortium member) signatory to the present Agreement (hereinafter referred to as "**Joint Registrant**")

Hereinafter referred to as "**the Parties**"

### **Preamble**

Whereas the Lead Registrant submitted a joint registration dossier and successfully registered TCPP (Reaction products of phosphoryl trichloride and 2-methyloxirane) [CAS No: 1244733-77-4; EC No: 807-935-0], (as further defined herein to as "**Substance**") before the European Chemicals Agency ("**Agency**") in accordance with Article 10 of Regulation (EC) No. 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorization and Restriction of Chemicals (hereinafter referred to as "**REACH**") in 2010;

Whereas numerous legal entities either as Consortium members or by purchasing a letter of access joined the joint registration;

Whereas the Parties to this Agreement agreed on the identity and the sameness of the Substance and were thus participants of the same Substance Information Exchange Forum ("SIEF") as registrants for that Substance under the meaning of Article 29 of REACH;

Whereas for that purpose the Parties concluded a SIEF Agreement on October 14, 2010 with end date December 31, 2022;

Whereas, pursuant to Article 29(3) REACH, SIEFs shall only be operational until June 1, 2018;

Whereas, REACH registration dossiers must be updated from time to time and whereas the Substance may be subject to further regulatory scrutiny, including substance evaluation, by the Agency or Member States;

Whereas, further future Joint Registrants may wish to join the joint registration of the Substance;

Whereas, therefore the cooperation of the Lead Registrant and the Joint Registrants should continue beyond December 31, 2022;

Whereas, the cooperation of the Lead Registrant and the Joint Registrants under the SIEF Agreement was smooth and the principles of the former cooperation under the SIEF Agreement should therefore be maintained;

Whereas the Parties agree that the principles of the joint submission of data set out in the SIEF Agreement will continue to apply to the current Agreement;

Whereas the Parties acknowledge that their cooperation should reflect the changes brought by the Commission Implementing Regulation (EU) 2016/9 of 5 January 2016 on joint submission of data and data-sharing in accordance with REACH (hereinafter referred to as the “**Implementing Regulation 2016/9**”);

Whereas the Parties are aware that they have co-operation and data sharing obligations with other participants of the joint registration for the Substance;

Whereas REACH requires existing Joint Registrants and/or potential Joint Registrants to make every effort to reach an agreement on sharing the data and to ensure that the cost of sharing the Information required for registration are determined in a fair, transparent and non-discriminatory way.

Therefore, with a view to fulfilling their regulatory obligations under REACH after the last registration deadline of May 31, 2018 set out in Article 23(3) of REACH in respect to the Substance,

THE PARTIES HAVE AGREED UPON THE FOLLOWING AGREEMENT:

#### **Article I. Scope and General Obligations**

1. The current Agreement replaces the existing SIEF Agreement, which is set out in its entirety as **Annex 1** hereto. However, the Parties shall continue to apply the following terms, conditions and principles laid down in the SIEF Agreement, which become an integral part of the present Agreement, in particular:

- (i) 1. Definitions;
- (ii) 2. Scope;
- (iii) 3. General Rules of Cooperation;
- (iv) 4. Cost Sharing;
- (v) 5. Miscellaneous provisions.

#### **Article II. Compliance**

The following shall be added at the end of 5. (c) of the SIEF Agreement:

The Parties explicitly agree to observe the Implementing Regulation 2016/9 and Section 7 (Information sharing under competition rules) of the ECHA Guidance on data-sharing (Version 3.1, January 2017), as may be adapted from time to time.<sup>1</sup>

Each Party shall, with respect to such Party's activities in relation to this Agreement, comply with all applicable laws and regulations, including export, import, and sanctions laws, regulations, orders, and authorizations to include without limitation, the Export Administration Regulations (EAR), International Traffic in Arms Regulations (ITAR), and regulations and orders administered by the Treasury Department's Office of Foreign Assets Control. Such performance shall apply to the export, re-export and import of controlled technology, data, software, services, and/or hardware. Accordingly, Party or Parties shall not transfer Information without the appropriate government export authorization. Each Party shall be individually responsible for its compliance with any applicable laws and regulations. No Party shall be required to indemnify another Party with regard to legal compliance.

### **Article III. Participation in the joint submission of data by multiple registrants**

The following new point (i) shall be added at the end of 3. of the SIEF Agreement:

- (i) The Lead Registrant shall settle any inquiry or regulatory scrutiny of ECHA or other competent authorities (including but not limited to draft compliance check decisions, substance evaluation, Annex XV REACH dossiers, Risk Management Options Analyses etc.) connected to the Substance in compliance with REACH and Regulation 1272/2008 and in a way to minimize related expenses. This shall also apply to inquiries of other third parties (including but not limited to other potential Joint Registrants). In the event that such inquiries or regulatory scrutiny could lead to additional costs to be shared by the Joint Registrants or if there could be a critical impact to the uses of the Substance (e.g. classification, risk management issues, etc.) the Lead Registrant shall inform the Joint Registrants promptly of any inquiry or regulatory scrutiny of ECHA or other competent authorities or other third parties. The Parties shall cooperate closely and consent on any formal responses to such inquiry or scrutiny without undue delay. Should a Joint Registrant fail to react or unduly delay its comments or unreasonably withhold its consent to the Lead Registrant's responses to such inquiry or regulatory scrutiny, the Lead Registrant may respond on its own. Any related cost and expenses shall be charged to the Joint Registrants.

### **Article IV. Financial compensation for the Joint Registration Dossier**

The following new language is added at the end of 4. (e) of the SIEF Agreement:

This includes new studies that have to be purchased or performed or other dossier preparation, administrative or other cost engaged after conclusion of this Agreement due to regulatory scrutiny or inquiries of ECHA, other competent authorities, or third parties, or due to requirements pursuant to Article 22(1)(e) of REACH. The resulting costs will be equally divided between all Joint Registrants who are required to incorporate the new information into the Joint Registration Dossier.

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<sup>1</sup> [https://echa.europa.eu/documents/10162/23036412/guidance\\_on\\_data\\_sharing\\_en.pdf/545e4463-9e67-43f0-852f-35e70a8ead60](https://echa.europa.eu/documents/10162/23036412/guidance_on_data_sharing_en.pdf/545e4463-9e67-43f0-852f-35e70a8ead60)

#### **Article V. Term and termination**

This Agreement shall be in force for as long as there is a valid Joint Registration for the Substance. The Lead Registrant shall be entitled to terminate this Agreement at any time with prior written notice of one month if he is no longer subject to registration obligations in relation to the Substance.

#### **Article VI. Annexes**

1. The SIEF Agreement shall be set out as **Annex 1** to this Agreement.
2. A new **Annex 2** to this Agreement with the Substance Identity Profile and classification and labelling shall replace the **Annex 3** to the SIEF Agreement. The Lead Registrant may amend this **Annex 3** unless a simple majority of the Joint Registrants expressly objects.
3. A new **Annex 3** to this Agreement shall replace **Annex 2** of the SIEF Agreement (Project Manager). The Project Manager becomes Jones Day, Rue de la Régence 4, 1000 Brussels, Belgium.
4. **Annex 4** of the SIEF Agreement laying down the LoA cost shall remain unchanged.
5. Since the Letter of Access pricing mechanism has been running smoothly since submission of the Joint Registration Dossier, the Lead Registrant shall reserve its right set out Article 4(5) of the Implementing Regulation 2016/9 not to amend this model. The Joint Registrant will be provided with a detailed list of studies and related costs upon request.

#### **Article VII. Miscellaneous**

The Parties shall be validly bound by this Agreement when the Joint Registrant has either given its consent to this Agreement through the communication IT Platform through which the letters of access are issued, or by signing it, or by paying letters of access; or by not expressly objecting to the Agreement within 30 days of its issuance.

THE PARTIES BY THEIR DULY AUTHORIZED REPRESENTATIVES, SIGN THIS AGREEMENT

**For The Joint Registrant**

Name of legal entity:

Street:

ZIP-Code :

City:

Country:

Contact Name:

Contact Email:

Place:

Date:

signed by:

\_\_\_\_\_

**LANXESS Deutschland GmbH** in the name and on behalf of all members of the Consortium

\_\_\_\_\_



**ANNEX 1 – SIEF Agreement (July 30, 2010)**

## SIEF and Joint Submission AGREEMENT

### TCPP\_Tris(2-chloro-1-methylethyl)phosphate\_multiconstituent substance ("TCPP")

#### 1. Definitions

- (a) *Advantage Compensation* shall mean a fee that covers general costs incurred by the Parties to the Consortium Agreement in relation to their initiative, commitment and any other preliminary performance within the Consortium and for the purposes of preparing the Joint Registration Dossier, such as substantiated and reasonable travel costs, manpower allocated to the work in the Consortium, etc.
- (b) *Affiliate(s)* shall mean a corporation, which controls, is controlled by or is under common control with a Party, with control meaning at least 50% of the voting rights directly or indirectly owned. Unless provided otherwise, when referring to Affiliates in the context of this Agreement it is understood that this also comprises any Only Representative acting on behalf of a non-EU Affiliate of a Party. The corporations named in this Agreement are to be considered as Affiliates of Parties who have obligations to register the Substance.
- (c) *Consortium* shall mean the members of the TCPP Consortium (established by the *Consortium Agreement* of 2009), of which Lanxess Deutschland GmbH is a member.
- (d) *Information* shall mean all studies, other scientific, statistical, or technical information or data, including but not limited to composition, characteristics, properties, processes and applications, and any other information in whatever form made available by a Party or generated by the Parties jointly, or licensed by or made available to the Consortium by third parties pursuant to or within the remit of this SIEF Agreement.
- (e) *LoA* shall mean a letter of access to the Joint Registration Dossier granted by the Consortium to individual Parties as applicable to them and as attached as **Annex 1** to this SIEF Agreement. The LoA entitles the Party (and its Affiliates) on a non-exclusive basis to refer to the information submitted to ECHA by the Lead Registrant for purposes of REACH registration, but it does not grant any additional rights except those specifically stated therein. In particular, it cannot be used, or transferred or relied upon, either for REACH or for any other purpose, by other legal entities, including affiliates of the Parties other than those named in the SIEF Agreement, unless those other legal entities would qualify for a free update of the original registration(s) pursuant to Article 5 (1) (c) of Commission Regulation (EC) No 340/2008.
- (f) *Party or Parties* shall mean the parties to this SIEF Agreement who have *either* (i) signed this SIEF Agreement, and/or have paid for the LoA as laid down in 4. *or* (ii) following notification of this Agreement, have not communicated to the Lead Registrant their objection to become a member of the SIEF Agreement pursuant to 5.(k) and are not listed as 'inactivated' pre-registrants in REACH-IT.
- (g) *Joint Registration Dossier* shall cover the joint mandatory (Article 10 (a) (iv), (vi), (vii) and (ix) REACH) and joint voluntary (Article 10 (a) (v), and (b) REACH) parts of the REACH Registration Dossier for the Substance. The Joint Registration Dossier covers IUCLID core data for the data requirements for more than 1000 tonnes and the Chemical Safety Report ("CSR"), as well as guidance on safe use, subject to 3.(h) below and to the further restriction that the CSR issued by the Consortium to Parties shall only include the common uses previously identified by the Consortium and shall also not include production of the Substance.
- (h) *Project Manager* shall mean an external consultancy responsible for daily management of the Consortium (*e.g.*, financial issues), engaged by the Consortium members. The Project Manager is defined in **Annex 2** of this Agreement.

- (i) *REACH* shall mean Regulation (EC) No 1907/2006 and all subsequent Regulations, Decisions, and other measures adopted in connection thereto.
- (j) *Substance* shall mean the substance listed in 2.(a) of this SIEF Agreement.
- (k) All other terms used herein shall have the same meaning as under REACH.

## **2. Scope**

- (a) This SIEF Agreement covers the following substance

**TCPP\_Tris(2-chloro-1-methylethyl) phosphate\_multiconstituent substance** is a multi constituent substance (origin: organic) consisting of tris(2-chloro-1-methylethyl) phosphate (main component), bis(2-chloropropyl)-1-chloro-2-propyl phosphate, bis(1-chloro-2-propyl)-2-chloropropyl phosphate and tris(2-chloropropyl) phosphate.

**EC number: 911-815-4**

TCPP is the abbreviation of the above mentioned multiconstituent substance.

The sameness criteria are defined in Annex 3.

The Parties have agreed in previous communications on the identity and sameness of the Substance and are thus members of the same SIEF.

- (b) This SIEF Agreement is applicable to all communications, actions and submissions made by the Parties individually or jointly within the scope of REACH in as far as these fall within the remit of SIEFs pursuant to Article 29 REACH.
- (c) This SIEF Agreement is applicable to all members of the SIEF (including the members of the Consortium) of the Substance. Consortium members are represented for purposes of this SIEF Agreement by the Lead Registrant.

## **3. General Rules of Cooperation**

- (a) The Parties agree that Lanxess Deutschland GmbH or its legal successor or another SIEF member assigned by it pursuant to 5. (f) below will act as the Lead Registrant for the Substance and will prepare, within the framework of the Consortium, the Joint Registration Dossier for REACH registration of the Substance as and in as far as required, and make requests pursuant to Article 10 (a) (xi) REACH as deemed necessary. Upon demand of ECHA, within the requested deadline and to the extent necessary, the Lead Registrant also agrees to make reasonable efforts to complete the Joint Registration Dossier. Parties that are not members of the Consortium will participate in the joint registration efforts via (g) below in conjunction with a LoA to be granted according to this SIEF Agreement.
- (b) The Joint Registration Dossier will be prepared in time using all reasonable efforts so that Parties can meet the November 30, 2010 registration deadline.
- (c) In view of the tight work schedule, the Parties agree that the Lead Registrant will use its reasonable efforts to develop the Joint Registration Dossier within the Consortium, and they acknowledge that the Lead Registrant has engaged reputable support to assist it in its efforts. The Parties will therefore not object or call into question the Joint Registration Dossier so

prepared in as far as applicable to them, and the Parties hereby agree to the Joint Registration Dossier as developed by the Lead Registrant within the Consortium.

- (d) The Lead Registrant undertakes in turn to regularly update the Parties in writing on the progress made on the Joint Registration Dossier as applicable to the Parties. The Lead Registrant may ask for cooperation and comments as it sees fit.
- (e) The Lead Registrant shall pay the registration fee pursuant to Article 11 (4) REACH as invoiced by ECHA for the submission of the Joint Registration Dossier without undue delay.
- (f) The Lead Registrant shall make the Joint Registration Dossier available for inspection by the Parties via an electronic tool (Brain-loop) upon request to the Lead Registrant before October 30, 2010. Any Party joining the SIEF after the inspection period is entitled to inspect the Joint Registration Dossier after having taken an appointment with the Lead Registrant.
- (g) Provided the Party has fulfilled its payment obligations hereunder, the Lead Registrant shall inform the Party of the creation of a 'joint submission object' in REACH-IT and shall provide the valid security token number and the name of the joint submission. The Lead Registrant shall also inform the Parties of the submission of the Joint Registration Dossier to ECHA. The Lead Registrant shall further communicate the confirmation that the Joint Registration Dossier has been accepted as 'complete' and the registration number assigned pursuant to Article 20 (3) REACH.
- (h) Without prejudice to the above, whilst the CSR as well as the guidance on safe use will be prepared jointly, in order to avoid any confidentiality issues and allow registrants to include individual information and uses, they shall be submitted individually in REACH IT by each Party. The Lead Registrant shall therefore make the CSR and guidance on safe use available to each Party participating in cost sharing so as to allow this Party to file and complete its CSR and guidance on safe use individually.

#### **4. Cost Sharing**

The price for the LoA is calculated by taking into account management and administration expenses, costs for existing and new data, costs for the preparation of IUCLID by the Lead Registrant, costs for preparing the CSR and guidance on safe use, and handling fees, *as follows*:

##### (a) Joint Registration Dossier Preparation

###### (i) Expenses

The expenses incurred to manage the Consortium and to prepare the Joint Registration Dossier are set out in **Annex 4**, as may be amended by the Project Manager from time to time.

###### (ii) Existing and new data

Where access to existing and new proprietary studies are concerned, which are owned either by the individual Consortium members or by all Consortium members, the Parties obtaining the LoA shall pay cost compensation with a 30% deduction of the study value determined under Annex 6 of the Consortium Agreement due to the restricted rights to refer to the data for REACH purposes only.

###### (iii) Chemical Safety Report

The cost for the preparation of the CSR and the guidance on safe use part of the Joint Registration Dossier will be shared equally by all Parties (including the Consortium members) to which the more than 10 tonne category applies, unless a Party decides to develop its own CSR and guidance on safe use (in which case they can 'opt-out' of this cost). In the latter case, they will receive the hazard assessment created from IUCLID, which will be included in the IUCLID price part of the dossier.

The CSR made available will include the common uses identified by the Consortium but will exclude the scenarios related to production, as these are specific to each registrant.

(b) Price Determination for the Various Tonnage Categories

(i) *1000 Tons and More*

For the November 30, 2010 registration deadline (or all registrants of 1000t and above even if they register after 2010), the sum of (a) (i), (ii) and (iii) is divided by 5, which is the expected minimum number of registrants. The price so determined will constitute the net 2010 LoA price. If more than 5 registrants register by November 30, 2010, the over-payment collected will be reimbursed to all 2010 1000t registrants after this deadline. 1000t and above registrants that register after the 2010 registration deadline will pay the same as those registrants in the same tonnage category that register by November 30, 2010 and will be reimbursed their over-payment, if any, after the 2013 registration deadline has passed.

(ii) *100 - 999 Tons*

The price for registrants in the 100-999t category will be calculated mid 2011 based on the declared firm license LoA intentions received by the Project Manager by mid-2011. Any payments collected from those registrants will be reimbursed to the 1000t registrants that have previously registered, after the 2013 registration deadline has passed.

(iii) *1 - 99 Tons*

The price for registrants in the 1 - 99 t category will be set by the Consortium later based on whether new studies will be conducted after 2010 and how many registrants will register in the higher tonnage categories.

(c) Advantage Compensation

In addition to (a), there is a fee for Advantage Compensation which is set at 30% of the net price of the LoA set under (a) and (b) above.

(d) Handling fee

The fee for handling the LoA request and the joint submission is expected to be € 1,000.

(e) Update of the Joint Registration Dossier after submission of the Joint Registration Dossier in 2010

Any update of the Joint Registration Dossier required after it has been submitted for the first time shall be financed by all Parties according to the same rules as set out above, except that any new studies that will be required will have to be paid by all Parties that require them at equal shares without the 30% reduction set out above at (a) (ii). Also, any ongoing and future expenses to manage the Consortium during the registration and LoA issuing procedures and other additional unexpected costs that might arise through further requirements from the ECHA after registration can be charged to Parties later according to the same schedule.

- (f) The Lead Registrant will calculate the price of the LoA based on the above rules as soon as the Joint Registration Dossier has been accepted by ECHA in the Technical Completeness Check and will issue a proforma invoice or payment notice accordingly to be paid within 30 days of issuance by each Party; following payment, the joint submission tokens will be issued. Formal invoices will be issued after the respective registration deadlines, and for the first time after November 30, 2010. In case the amounts received from the proforma invoices and payment notices are not sufficient to cover the cost, LoA will only be issued after receipt of the amounts from the final invoices. Should new studies have to be purchased or performed as deemed necessary by the Consortium or pursuant to ECHA's request, or technical responses to ECHA be necessary after registration, the Lead Registrant will issue instructions to issue additional invoices to be paid under the same terms. No interest shall be applicable in either case on both sides. However, a Party that does not pay an invoice or payment notice within the 30 days of issuance shall at no time be entitled to participate in the joint submission and receive an LoA, or its LoA and permission to participate in the joint submission shall be considered as revoked. The final settlement shall be handled by an independent auditor appointed by the Lead Registrant on June 1, 2022.
- (g) The Lead Registrant will issue LoAs after receipt of a Party's payment and after the Party has had the option to inspect the Joint Registration Dossier as far as it is concerned by it pursuant to 3. (f).
- (h) The Lead Registrant shall at all times account for the cost of the Joint Registration Dossier and shall keep records thereof for the duration of this SIEF Agreement. Any Party shall have the right to have the accounts audited at its own cost upon prior notice of at least five working days.

## **5. Miscellaneous Provisions**

- (a) *Assignment.* This SIEF Agreement is linked to the joint registration obligations of REACH and can therefore not be assigned or transferred by the Parties without prior approval of the Lead Registrant unless the assignee is an Affiliate or successor in law subject to REACH registration of the Substance, or is an Only Representative or Third Party Representative replacing a previous Only Representative or Third Party Representative of the same principal and the assignment/transfer has been communicated to the Lead Registrant or its Trustee.
- (b) *Communications.* All communications within the framework of this SIEF Agreement shall be done by electronic mail and shall be considered valid upon receipt of an automatic confirmation of receipt received by the sender. The Lead Registrant shall install an email address or other electronic platform for communication within the SIEF. The parties agree to regularly and proactively communicate within this platform provided, and to answer any information and communication requests of the Lead Registrant within five working days at the latest unless the Lead Registrant expressly provides a longer response time. Unless other contact details are indicated below, the contact details available in REACH-IT shall be used at all times. The Parties shall at all times keep their REACH-IT contact details updated and functional. In case the REACH-IT contact details of a Party are not functional and no other valid and functional contact information has been provided below, the Lead Registrant shall be considered as released from any obligations under this SIEF Agreement.
- (c) *Compliance.* The Parties shall at all times comply with the applicable laws, including EU competition law. The Lead Registrant has used its best efforts to acquire use/referral rights for all key and supporting studies used in the Joint Registration Dossier including for all members of the joint submission. Independent from this Agreement, Parties assert to observe copyrights and access rights of the public domain literature used for the Joint Registration Dossier required for their respective registration purposes under REACH in sufficient time

before the submission of their respective individual dossier to ECHA. The Lead Registrant will provide Parties with a list of key and supporting studies and the respective ownership. After this Agreement has been signed and the payment obligation has been fulfilled, the access right to the key and supporting studies owned by the Consortium members individually or jointly is considered as granted. Parties will fully indemnify Lead Registrant in the event Parties have no sufficient access or copyrights to refer to all required key and supporting studies.

- (d) *Confidentiality and Non-Use.* Each Party agrees to: (i) treat all Information as confidential and not disclose it to third parties, unless regulatory disclosure requirements are applicable; (ii) immediately advise the other Parties in writing of any disclosure or misuse by any Party or a third party of Information, as well as any request by competent authorities relating to disclosure of Information; (iii) disclose Information as required for legal and/or regulatory purposes including for purposes of REACH only in a form reflecting the minimum information required to be disclosed; (iv) use the Information only for purposes and as permitted hereunder; (v) not to analyze, test or reverse engineer or have analyzed, tested or reverse engineered any samples, formulas, combination of formulas or any technical or scientific methodology, chemistry or know-how provided by any of the Parties for their components, formulations or processes; (vi) not to file any patent, utility model or design application based upon Information or samples; *and* (vii) not to disclose Information to their employees, Affiliates, external experts and/or other consultants; unless the Party is an Only Representative or Third Party representative to the non-EU manufacturer or legal entity represented by the Third Party Representative, in which case it should only disclose Information on a strictly need-to-know basis to the extent permitted and absolutely necessary hereunder. Each Party shall have in place policies and procedures to ensure compliance herewith and shall ensure that the aforementioned entities and persons also have such policies and procedures in place.

The confidentiality and non-disclosure obligations above shall not apply to Information for which the receiving Party can reasonably demonstrate that such Information (i) was known to the receiving Party on a non-confidential basis prior to its disclosure pursuant to this SIEF Agreement; (ii) is publicly known at the time of disclosure or thereafter becomes publicly known without breach of the terms of this SIEF Agreement on the part of the receiving Party; (iii) becomes known to the receiving Party through disclosure by sources other than the disclosing Party, having a right to disclose such Information; (iv) was independently developed by the receiving Party without access to the disclosing Party's information, as evidenced by documentary records; *or* (v) becomes subject to disclosure to governmental authorities with lawful authority to seek such Information.

Specific items of Information shall not fall within any exception merely because they are combined with more general Information falling within any exception. Likewise, any combination of specific items of Information shall not fall within any exception merely because the specific items fall within any exception, but only if the combination itself, and its principles of operation, fall within any exception.

The obligations on confidentiality and non-use shall remain in effect and shall survive the duration of this SIEF Agreement. In the event of non-compliance with the duties here above, Parties are entitled to exclude the breaching Party from any further cooperation hereunder by decision of the Consortium. The obligation to render compensation for damages in accordance with the applicable legal provisions shall remain unaffected.

- (e) *Dispute resolution and applicable law.* Any dispute hereunder that cannot be settled amicably shall be resolved by arbitration with a single arbitrator to be appointed by the Brussels Bar. The arbitration rules of the International Court of Arbitration ("ICC") shall be applicable. The arbitration decision, including on the payment of the cost of arbitration, shall be binding on the Parties. The place of any hearing shall be Brussels and the language of the arbitration

shall be English. Belgian law shall govern this SIEF Agreement. If at any time any provision of this SIEF Agreement is or becomes invalid or illegal in any respect, this shall have no effect on the validity of the remainder of this SIEF Agreement. The invalid provisions are to be replaced retroactively by provisions which come closest to achieving the objectives.

- (f) *Duration and Termination.* This SIEF Agreement shall be in force until December 31, 2022, although its provisions under 5. (d), (e) and (h) shall survive its term indefinitely. Furthermore, the confidentiality obligations related to studies shall survive for 12 years after their first submission to ECHA, and all other confidentiality obligations shall survive until June 1, 2023.

The Lead Registrant has the right to terminate its functions as Lead Registrant provided another SIEF member has validly agreed to replace it within the SIEF, has agreed to the terms of this SIEF Agreement, and has taken up its functions accordingly. The other Parties must be informed about this replacement without undue delay.

Parties have the right to terminate this SIEF Agreement at the latest by October 30, 2010. The provisions under 5. (d), (e) and (h) shall survive termination as specified above.

- (g) *Individual Responsibility.* Notwithstanding the cooperation within this SIEF Agreement, the Parties and their Affiliates remain individually responsible for compliance with REACH, in particular, but not limited to, their individual submission of information required under Article 11 (1) REACH.
- (h) *Liability.* The Lead Registrant shall only be liable to the other Parties in connection with the activities contemplated in this SIEF Agreement, including delays in the completion and submission of the Joint Registration Dossier, in case of gross negligence or wilful misconduct. He shall not be liable for consequential damage and lost profits. This limitation of liability does not apply in case of claims for death, personal injury or wilful misconduct. No warranty for acceptance of the Joint Registration Dossier or Information it contains, or acceptance of a study by ECHA at dossier evaluation (according to Title VI REACH) is given.
- (i) *Payments.* All payments due hereunder shall be net payments, *i.e.*, free of any bank or transfer charges or similar charges and without deduction of any taxes, levies or other dues payable. If payer is required to withhold any tax or to make any other deduction from any such payments, then the said payments shall be increased to the extent necessary to ensure that, after making of the required deduction or withholding, payee receives and retains (free from any liability in respect of any such deduction or withholding) a net sum equal to the sum which it would have received and so retained had no such deduction or withholding been made or required to be made (gross-up amount). If upon application of the beneficiary any withholding tax can be reduced, or refunded, or an exemption from withholding tax is granted, payer shall file on behalf of payee for such reduction, refund or exemption. Payee shall render any assistance to payer to obtain such withholding tax reduction, refund or exemption. Payer shall be entitled to any refund of withholding taxes. Indirect taxes, including but not limited to Value Added Tax ("VAT"), Goods and Service Tax ("GST"), service tax, business tax, as applicable pursuant to the relevant tax law, shall be borne by payer. However, payer is entitled to withhold any payment of indirect taxes unless payee has provided payer with a sufficient invoice for purposes of indirect taxation.
- (j) *Rights.* This SIEF Agreement does not grant any ownership rights or change existing ownership rights to any of the Information provided under this SIEF Agreement to the Parties. Neither this SIEF Agreement nor any disclosure of Information shall vest any present or future rights in any patents, trade secrets, or property rights, and no license is granted. No legal entity or partnership for legal or tax purposes is created under this SIEF Agreement. The Parties are themselves responsible for any fiscal payments and declarations related to the working of this SIEF Agreement.



- (k) ***Validity / Entry into Effect.*** This SIEF Agreement enters into effect between the Lead Registrant and the respective Party by:
- (i) the Party filling in the required information below and returning a signed PDF copy of this SIEF Agreement,
  - (ii) *and/or* payment by the Party for the LoA; *or*
  - (iii) the non-objection by the SIEF member to become a Party to this SIEF Agreement, *provided that* not more than half of the SIEF members have communicated their objection to this Agreement by October 30 , 2010.

**Lanxess Deutschland GmbH**

**COMPANY - SIEF Member:**

\_\_\_\_\_

(Print company name and address)

**(NON-EU/EEA) COMPANIES REPRESENTED :**

\_\_\_\_\_

(In case the Party is an Only Representative (“OR”); indicate here the names of all the affiliated companies of one group represented by the OR to which this SIEF Agreement should be applicable; In case the OR has pre-registered for several groups of companies, he must sign separate SIEF Agreements for each of the groups; Likewise, if a Third Party Representative (“TPR”)<sup>2</sup> represents several independent companies for the Substance, he must sign separate SIEF agreements for each of the independent companies represented)

**AUTHORIZED REPRESENTATIVE:**

\_\_\_\_\_

(Print name of Representative authorized to sign this SIEF Agreement)

**SIGNATURE:**

\_\_\_\_\_

(Signature of Authorized Representative)

**Registration scope by group, *i.e.* affiliated companies together (take highest applicable tonnage band in the group total; intermediate category only applicable if all group members have exclusive intermediate use only):**

- A: Registering as an intermediate
- B: Tonnage band < 10 t
- C: Tonnage band 10 – 100 t
- D: Tonnage band 100 – 1,000 t
- E: Tonnage band > 1,000 t
- F: Without CSR**

<sup>2</sup> Unless the TPR voluntarily discloses the identity of the registrants represented, the Lead Registrant reserves the right and the TPR hereby agrees to have the identity of the registrants represented audited by an independent neutral auditor with appropriate confidentiality obligations.

| <b>Substance</b>   | <b>Registration Scope (List A - F and exact details of all Affiliates to be covered)</b> |
|--|--|
| TCPP_Tris(2-chloro-1-methylethyl) phosphate_multiconstituent substance<br><br>(EINECS No. 911-815-4) |  |

**CONTACT INFORMATION:**

\_\_\_\_\_

(Print contact details for person responsible for SIEF communication)

## Annex 1

### MODEL LETTER OF ACCESS<sup>3</sup>

*[address of regulatory authority]*

**Letter of Access for the registration of the substance TCPP\_Trис(2-chloro-1-methylethyl)phosphate\_multiconstituent substance (“TCPP”) under REACH**

Dear Sirs,

The Consortium for the registration of the substance TCPP under REACH (here thereafter referred to as “the Consortium”) agrees that the data, studies, summaries, waiving argumentations, reasoning of testing proposals and/or assessments owned or subject to a use right by the members of the Consortium and submitted by the Consortium in support of the registration under REACH of Substance TCPP [EINECS No. 911-815-4]

(hereinafter collectively referred to as the “Joint Registration Dossier”), may be referred to

*[Company XYZ / List of Affiliates]* (hereafter the “Applicant”)

in order to support the Applicant’s registration of the above-mentioned substance under REACH.

**In his registration, the Applicant acts: *(please tick appropriate box)***

- for itself
- as an Only Representative pursuant to Article 8 REACH for the following non-EU manufacturer:  
\_\_\_\_\_
- as a Third Party Representative<sup>4</sup> pursuant to Article 4 REACH.

**In the Joint Registration Dossier, the Applicant would like to be covered concerning the following parts/documents: *(please tick appropriate box(es))***

- Mandatory joint parts of the Joint Registration Dossier (Article 10 (a) (iv), (vi), (vii) and (ix) REACH)
- Voluntary joint parts of the Joint Registration Dossier (Article 10 (a) (v) and (b) REACH) in as far as applicable (namely the Chemical Safety Report (“CSR”) and guidance on safe use)
- ‘Opt-out’ pursuant to Article 11 (3) for the following mandatory joint parts:

Article 10 (a)

<sup>3</sup> For information purposes only. The official Letter of Access will only be issued once payment has been made in accordance with Section 4 of the SIEF Agreement.

<sup>4</sup> Unless the TPR voluntarily discloses the identity of the registrants represented, the Lead Registrant reserves the right and the TPR hereby agrees to have the identity of the registrants represented audited by an independent neutral auditor with appropriate confidentiality obligations.

- (iv)
- (vi)
- (vii)
- (ix)

Intermediate Joint Registration Dossier (Articles 17, 18, 19 REACH)

On request, the Applicant may receive a summary of the *Information* submitted by the Consortium in support of the registration under *REACH*.

The right to refer to the Joint Registration Dossier is subject to the following restrictions:

1. The right of referral only gives access to the Joint Registration Dossier of the substance for the registration as specified above.
2. The right of referral is solely granted in favor of the Applicant and the Affiliates listed herein and is not transferable to any other entity or person.
3. Unless otherwise specified below at 6., the Applicant is not authorized to receive any copies of the Joint Registration Dossier nor is the Applicant authorized to inspect or view the Joint Registration Dossier at ECHA or any related specific document in whole or in part, outside the general inspection period granted by the Consortium and outside the conditions set out in the SIEF Agreement.
4. This Letter of Access shall in no event be construed as granting the Applicant any property rights whatsoever in the Joint Registration Dossier.
5. Nothing in this Letter of Access shall require *the Consortium members* to file any additional data.
6. In as far as the Joint Registration Dossier may contain a CSR, use and exposure scenarios and guidance on safe use, and the Applicant is participating in joint submission for those parts of the dossier, or has otherwise acquired rights to them, those will be made available to the Applicant as needed and may be used by it in as far as needed for purposes of safe handling and elaboration of eSDS and must be filed by him individually as set out in the SIEF Agreement.

If the Applicant has chosen to himself prepare the CSR, use and exposure scenarios and guidance on safe use but does otherwise fully participate in the Joint Registration Dossier, he shall receive an electronic copy of parts Article 10 (a) (iv), (vi), (vii) and (ix) REACH of the Joint Registration Dossier and shall have the rights to use for this purpose only the (robust) study summaries and other information contained therein as well as to refer to the full study reports on which basis the (robust) study summaries have been developed.

In any event and regardless of the rights and restrictions set forth above, the Applicant shall always receive the proposed classification and labeling as well as the PNECs and DNELs.

This Letter of Access does not create any rights for third parties or any liability towards third parties in relation to the data for which access is granted.

Signature: Authorized Representative of the Consortium.

The Applicant hereby declares that he is aware of, agrees and complies with the provisions of the SIEF

Agreement issued by the Lead Registrant Lanxess Deutschland GmbH, which shall apply in its entirety in addition to the provisions set out hereunder.

**Annex 2**  
**Project Manager**

**The Project Manager is:**

McKenna Long & Aldridge LLP

2 Avenue de Tervueren | 1040 Brussels, Belgium

**Annex 3**  
**Sameness Criteria**

| TCPP REACH Registration substance sameness           |             |  |
|--|-------------|--|
|  |             | Date: 2010-06-30   |
| Type of substance                                    | Composition | multi-constituent substance of Tris(2-chloro-1-methylethyl)phosphate, Bis(1-chloro-2-propyl)-2-chloropropyl phosphate, Bis(2-chloropropyl)-1-chloro-2-propyl phosphate and Tris(2-chloropropyl)phosphate |
|  | Origin      | organic  |
| Reference EC number (s) of the main component - TCPP |             | 911-815-4  |
| Other EC numbers considered to be the same substance |             | ./.  |
| EC name of TCPP                                      |             |  |
| Other Name:  |             |  |
| CAS number (s) of TCPP                               |             |  |
| SMILES   |             |  |
| Structural formula (or formulae) of TCPP             |             | C9H18Cl3O4P  |
| Structure image or diagram (indicative)              |             |  |
| Molecular weight (or range) of TCPP                  |             | 327,57   |

- Note: this proposal is based on §5 of the Guidance Document "identification and naming under REACH".

### Substance Composition

| Constituent                                     | EINECS number | CAS-Number | Concentration range (W7W) |
|---|---------------|------------|---------------------------|
| tris(2-chloro-1-methylethyl) phosphate          | 237-158-7     | 13674-84-5 | 50.0 — 85.0 %             |
| bis(1-chloro-2-propyl)-2-chloropropyl phosphate | -             | 76025-08-6 | 15.0 — 40.0 %             |
| bis(2-chloropropyl)-1-chloro-2-propyl phosphate | -             | 76649-15-5 | < 15 %                    |
| tris(2-chloropropyl) phosphate                  | 228-150-4     | 6145-73-9  | < 1%                      |



| Impurities                                     | EINECS number | CAS-Number | Concentration range |
|--|---------------|------------|---------------------|
| Ether of tris(2-chloro-1-methylethyl)phosphate |               |            | 0.1 - 4.5%          |

If hazardous impurities are present, any specific risks or impacts on PBT assessment and classification and labelling relating to impurities must be evaluated by the registrant in its own company-specific part of the registration dossier.

The Registration Dossier prepared, and in particular the Classification and Labelling proposals and hazard assessment, will address the substance including only the impurities indicated above. In any case, each registrant will have to specify separately all impurities in their own product, in the company-specific (confidential) part of the joint registration dossier.

If a Registrant's substance is not to conform to the above then they will have to, in the company specific (confidential) part of the registration dossier, justify that the differences do not modify the IUCLID5 and CSR conclusions, if appropriate, and do not require a different Classification and Labelling or different exposure scenarios.

\*\* Note: The Guidance Document "identification and naming under REACH" states: << No differentiation is made between technical, pure or analytical grades of the substances. The "same" substance may have all grades of any production process with different amounts of different impurities. However, well-defined substances should normally contain the main constituent(s) and the only impurities allowed are those derived from the production process (for details see Chapter 4.2) and additives which are necessary to stabilize the substance. .... >>

Analytical method

GC-MS

| Proposed tonnage band   |                     |
|---|---------------------|
| The TCPP Consortium is currently planning to prepare registration for this substance conform to the REACH deadline for the following tonnage band | > 1,000 tonnes/year |

**Annex 4**  
**Consortium Budget and LoA Calculation**

| TCPP REACH Consortium : 2009 & 2010 Budgets   |         |             |                 |             |                 |              |                 |
|---|---------|-------------|-----------------|-------------|-----------------|--------------|-----------------|
| Consortium Management   |         | <u>2009</u> |                 | <u>2010</u> |                 | <u>TOTAL</u> |                 |
|   |         | Events      | Total           | Events      | Total           | Events       | Total           |
| Consortium Management, Meeting, Financial Management  | Kellen  |             | € 14,525        |             | -               |              | € 14,525        |
| Administrative cost of the Consortium   | Lanxess |             | € 3,400         |             | -               |              | € 3,400         |
| Accounting  | MLA     |             | -               |             | € 5,000         |              | € 5,000         |
| General Management of the Consortium  | MLA     |             | -               |             | € 5,000         |              | € 5,000         |
| Legal advice (drafting of SIEF agts, other miscellaneous legal advice if needed) - estimate                                   | MLA     |             | -               |             | € 10,000        |              | € 10,000        |
| MLA On-Line tool  | MLA     |             | -               |             | € 1,500         |              | € 1,500         |
| LoA Management (€ 1,000 per LoA) - estimate   | MLA     |             | -               | 2           | € 2,000         |              | € 2,000         |
| SIEF Communication  | MLA     |             | -               |             | € 5,000         |              | € 5,000         |
| Steering Committee - face to face meeting (1 full day) : organization, preparation of agenda, attendance, drafting of minutes | MLA     |             | -               | 1           | € 10,200        |              | € 10,200        |
| Steering Committee - phone meeting (2 hours) : organization, preparation of agenda, attendance, drafting of minutes           | MLA     |             | -               | 1           | € 2,550         |              | € 2,550         |
| Administrative cost of the Consortium   | Lanxess |             | -               |             | € 14,600        |              | € 14,600        |
| <b>Total Consortium Management</b>  |         |             | <b>€ 17,925</b> |             | <b>€ 55,850</b> |              | <b>€ 73,775</b> |

| Dossier Preparation  |         | 2009   |                 | 2010   |                  | TOTAL  |                  |
|--|---------|--------|-----------------|--------|------------------|--------|------------------|
|  |         | Events | Total           | Events | Total            | Events | Total            |
| IUCLID 5 Core Data + Hazard Assessment + Derivation of DNELS & PNECS | Lanxess |        | € 38,480        |        | € 57,271         |        | € 95,751         |
| CSR - CSA - ESDS   | Arcadis |        | € 27,152        |        | € 48,560         |        | € 75,712         |
| Dossier finalization (IUCLID)  | Lanxess |        | -               |        | € 3,600          |        | € 3,600          |
| Dossier finalization (CSR)   | Arcadis |        | -               |        | € 12,000         |        | € 12,000         |
| <b>Total Dossier Preparation</b>                                     |         |        | <b>€ 65,632</b> |        | <b>€ 121,431</b> |        | <b>€ 187,063</b> |

|                                       |  | 2009   |          | 2010   |                  | TOTAL  |                  |
|---------------------------------------|--|--------|----------|--------|------------------|--------|------------------|
|                                       |  | Events | Total    | Events | Total            | Events | Total            |
| New studies                           |  |        | -        |        | -                |        | -                |
| Existing studies (Consortium Members) |  |        | -        |        | € 970,412        |        | € 970,412        |
| <b>Total Study Compensation</b>       |  |        | <b>-</b> |        | <b>€ 970,412</b> |        | <b>€ 970,412</b> |

**TCPP REACH Consortium - Study Valuation**

| IUCLID 5 | Section name                                 | REACH Annex | REACH number | Title and possession form (paper, electrical etc.) of the study report | Owner   | Study compensation only REACH use |
|----------|--|-------------|--------------|--|---|-----------------------------------|
| 4.2      | Melting point / freezing point               | 7           | 7.2          |  | ICL, Albemarle, Lanxess, Elastogran           | € 636.93                          |
| 4.3      | Boiling point                                | 7           | 7.3          |  | ICL, Albemarle, Lanxess, Elastogran           | € 679.46                          |
| 4.4      | Density                                      | 7           | 7.4          |  | ICL, Albemarle, Lanxess, Elastogran           | € 620.87                          |
| 4.6      | Vapour pressure                              | 7           | 7.5          |  | ICL, Albemarle, Lanxess, Elastogran           | € 2,626.16                        |
| 4.7      | Partition coefficient                        | 7           | 7.8          |  | ICL, Albemarle, Lanxess, Elastogran           | € 3,069.36                        |
| 4.8      | Water solubility                             | 7           | 7.7          |  | ICL, Albemarle, Lanxess, Elastogran           | € 3,603.29                        |
| 4.11     | Flash point                                  | 7           | 7.9          |  | Albemarle                                     | € 764.51                          |
| 4.12     | Auto flammability                            | 7           | 7.12         |  | Albemarle                                     | € 1,264.41                        |
| 5.1.2    | Hydrolysis                                   | 8           | 9.2.2.1      |  | ICL, Albemarle, Lanxess, Elastogran, Clariant | € 5,981.43                        |
| 5.2.1    | Biodegradation in water: screening tests     |             |              | key study SCAS   | ICL, Albemarle, Lanxess, Elastogran, Clariant | € 9,100.00                        |
| 5.4.1    | Adsorption / desorption                      | 8           | 9.3.1        | key study  | ICL, Albemarle, Lanxess, Elastogran           | € 3,393.25                        |
| 5.4.1    |  |             |              | key study  | ICL, Albemarle                                | € 37,570.38                       |
| 6.1.1    | Short-term toxicity to fish                  | 8           | 9.1.3        |  | Albemarle                                     | € 7,455.63                        |
| 6.1.3    | Short-term toxicity to aquatic invertebrates | 7           | 9.1.1        |  | Albemarle                                     | € 7,045.22                        |
| 6.1.4    | Long-term toxicity to aquatic invertebrates  | 9           | 9.1.5        |  | ICL, Albemarle                                | € 15,857.66                       |
| 6.1.5    | Toxicity to aquatic algae and cyanobacteria  | 7           | 9.1.2        |  | ICL, Albemarle, Lanxess, Elastogran           | € 12,269.00                       |
| 6.1.7    | Toxicity to microorganisms                   | 8           | 9.1.4        |  | Lanxess                                       | € 2,093.18                        |
| 6.3.1    |  |             | (long-term)  |  | ICL, Albemarle, Lanxess, Elastogran           | € 5,140.80                        |
| 6.3.3    |  |             | (long-term)  |  | ICL, Albemarle, Lanxess, Elastogran           | € 6,149.52                        |

| IUCLID 5     | Section name                    | REACH Annex           | REACH number           | Title and possession form (paper, electronical etc.) of the study report | Owner                               | Study compensation only REACH use |
|--------------|---------------------------------|-----------------------|------------------------|--|-------------------------------------|-----------------------------------|
| 6.3.4        | Toxicity to soil microorganisms | 9                     | 9.4.2                  |  | ICL, Albemarle                      | € 18,084.84                       |
| 7.1.1        | Basic toxicokinetics            | 8                     | 8.8.1                  |  | ICL, Albemarle, Lanxess, Elastogran | € 103,324.73                      |
| 7.1.2        | Dermal absorption               | na                    | not req.               |  | ICL, Albemarle, Lanxess, Elastogran | € 31,737.13                       |
| 7.2.1        | Acute toxicity: oral            | 7                     | 8.5.1                  | key study  | Lanxess                             | € 1,392.93                        |
| 7.2.2        | Acute toxicity: inhalation      | 8                     | 8.5.2                  | key study  | Albemarle                           | € 10,877.94                       |
| 7.2.3        | Acute toxicity: dermal          | 8                     | 8.5.3                  |  | Albemarle                           | € 1,900.40                        |
| 7.3.1        |                                 | 8                     | 8.1.1                  | key study  | Lanxess                             | € 1,128.33                        |
| 7.3.2        |                                 | 8                     | 8.2.1                  | key study  | Lanxess                             | € 1,526.18                        |
| 7.4.1        | Skin sensitisation              | 7                     | 8.3                    |  | ICL, Albemarle, Lanxess, Elastogran | € 2,577.92                        |
| 7.5.1        | Repeated dose toxicity: oral    | 8                     | 8.6.1a                 |  | Lanxess                             | € 44,944.90                       |
| 7.5.1        |                                 | 9                     | 8.6.2a                 |  | ICL                                 | € 101,199.00                      |
| 7.6.1        |                                 | 8                     | 8.4.3 (MLA)            | UDS  | Lanxess                             | € 15,108.73                       |
| 7.6.1        |                                 |                       | (Mouse Lymphoma assay) |  | ICL, Albemarle, Lanxess, Elastogran | € 10,334.48                       |
| 7.6.2        | Genetic toxicity: in vivo       | 8 or 9 or 10 optional | 8.4                    | Comet assay  | ICL, Albemarle, Lanxess, Elastogran | € 36,445.49                       |
| 7.6.2        | Genetic toxicity: in vivo       |                       |                        | UDS  | ICI, Albemarle, Lanxess, Elastogran | € 36,323.41                       |
| 7.6.2        | Genetic toxicity: in vivo       |                       |                        | mouse micronucleus   | Lanxess                             | € 10,010.00                       |
| 7.8.1        |                                 | 9                     | 8.7.3                  |  | ICL, Albemarle, Lanxess, Elastogran | € 418,374.36                      |
| <b>TOTAL</b> |                                 |                       |                        |  |                                     | <b>€ 970,411.79</b>               |

## Published Data - Tcpp

### 4.1 Appearance/physical state/colour

#### **4.1, key, 2, Roempp, 2008**

**Purpose Flag** key study, robust study summary, used for MSDS  
**Study result type** experimental result  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Data from peer-reviewed handbook or collection of data.

| Reference type             | Author         | Year | Title                  | Bibliographic source            | Testing laboratory |
|----------------------------|----------------|------|------------------------|---------------------------------|--------------------|
| review article or handbook | Roempp         | 2008 | Roempp Lexikon online. | Georg Thieme Verlag, Stuttgart. | Electronic release |
| <b>Data access</b>         | data published |      |                        |                                 |                    |

### 4.22 Viscosity

#### **4.22, key, 2, Coomber, 1993**

**Purpose Flag** key study, robust study summary  
**Study result type** experimental result  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Basic data given

| Reference type   | Author                          | Year | Title  | Bibliographic source  | Testing laboratory         |
|------------------|---------------------------------|------|--|---|----------------------------|
| study report     | Coomber GJ                      | 1993 | Determination of phys-chem data  | Report no EPL 3/3144/93   | SGS Redwood Ltd; Derby, UK |
| secondary source | [ECB] European Chemicals Bureau | 2008 | European Union Risk Assessment Report, Tris (2-chloro-1-methylethyl) phoshate (TCPP) | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |                            |

### 5.3.1 Bioaccumulation: aquatic / sediment

#### **5.3.1, Key, 2, MITI, 1992**

**Purpose Flag** key study, used for classification, robust study summary, used for MSDS  
**Study result type** experimental result  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Data from peer-reviewed handbook or collection of data

| Reference type             | Author  | Year | Title  | Bibliographic source  | Testing laboratory                             |
|----------------------------|---|------|--|---|--|
| review article or handbook | MITI, Ed. by CITI, Ministry of International Trade & Industry Japan | 1992 | Biodegradation and Bioaccumulation. Data of Existing Chemicals Based | Japan Chemical Industry Ecology-Toxicology & Information Center | Chemicals Inspection & Testing Institute Japan |

|                            |   |      |  |   |   |
|----------------------------|---|------|--|---|---|
|                            |   |      | on the CSCL Japan                          |   |   |
| review article or handbook | National Institute of Technology and Evaluation, NITE (Japan) | 2009 | Chemical Risk Information Platform (CHRIP) | <a href="http://www.safe.nite.go.jp/english/Haz_start.html">http://www.safe.nite.go.jp/english/Haz_start.html</a> | Chemicals Evaluation and research Institute (CERI), Japan |
| <b>Data access</b>         | data published  |      |  |   |   |

### 5.3.2 Bioaccumulation: terrestrial

#### 5.3.2, key, 2, EU-Risk Assessment, 2008

**Purpose Flag** key study, robust study summary  
**Study result type** estimated by calculation  
**Reliability** 2 (reliable with restrictions)  
**Rationale for reliability incl. deficiencies** Peer reviewed data obtained from Risk Assessment

| Reference type            | Author                          | Year | Title   | Bibliographic source  | Testing laboratory |
|---------------------------|---------------------------------|------|---|---|--------------------|
| other: EU Risk Assessment | [ECB] European Chemicals Bureau | 2008 | Risk Assessment Tris (2-chloro-1-methylethyl) phosphate | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |                    |
| <b>Data access</b>        | data published                  |      |   |   |                    |

### 5.4.1 Adsorption / desorption

#### 5.4.1, Key, 1, Cuthbert & Mullee, 2002

**Purpose Flag** key study, robust study summary  
**Study result type** experimental result  
**Reliability** 1 (reliable without restriction)  
**Rationale for reliability incl. deficiencies** GLP guideline study

| Reference type   | Author                          | Year | Title   | Bibliographic source  | Testing laboratory |
|------------------|---------------------------------|------|---|---|--------------------|
| secondary source | [ECB] European Chemicals Bureau | 2008 | European Union Risk Assessment Report, Tris (2-chloro-1-methylethyl) phosphate (TCPP) | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |                    |

#### 5.4.1, key, 1, Schaefer, 2006, TDCP

**Purpose Flag** key study, robust study summary  
**Study result type** read-across from supporting substance (structural analogue or surrogate)  
**Reliability** 1 (reliable without restriction)  
**Rationale for reliability incl. deficiencies** GLP guideline study

| Reference type | Author | Year | Title | Bibliographic source | Testing laboratory |
|----------------|--------|------|-------|----------------------|--------------------|
|----------------|--------|------|-------|----------------------|--------------------|

|                  |                                 |      |   |   |
|------------------|---------------------------------|------|---|---|
| secondary source | [ECB] European Chemicals Bureau | 2008 | European Union Risk Assessment Report, Tris[2-chloro-1-(chloromethyl)ethyl]phosphate (TDCP) | <a href="http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp">http://echa.europa.eu/chem_data/transit_measures/annex_xv_trans_reports_en.asp</a> |
|------------------|---------------------------------|------|---|---|

### **7.1.1 Basic toxicokinetics**

#### **rel 2-key, Minegishi et al, 1988**

|   |  |
|---|--|
| <b>Purpose Flag</b>                                 | key study, used for classification, robust study summary, used for MSDS          |
| <b>Study result type</b>                            | experimental result  |
| <b>Reliability</b>                                  | 2 (reliable with restrictions)   |
| <b>Rationale for reliability incl. deficiencies</b> | peer-reviewed publication: well reported study not conducted to GLP or Guideline |

| Reference type | Author  | Year | Title   | Bibliographic source         | Testing laboratory |
|----------------|---|------|---|------------------------------|--------------------|
| publication    | Minegishi K-I, Kurebayashi H, Nambaru S, Morimoto K, Takahashi T and Yamaha T | 1988 | Comparative studies on absorption, distribution, and excretion of flame retardants halogenated alkyl phosphate in rats. | Eisei Kagaku, 34(2), 102-114 |                    |

**Data access** data published

### **7.5.1 Repeated dose toxicity: oral**

#### **rel2-key, Stauffer Chemical Co, 1981**

|   |   |
|---|---|
| <b>Purpose Flag</b>                                 | key study, used for classification, robust study summary, used for MSDS   |
| <b>Study result type</b>                            | experimental result   |
| <b>Reliability</b>                                  | 2 (reliable with restrictions)  |
| <b>Rationale for reliability incl. deficiencies</b> | Well reported study, non-guideline, non-GLP.<br>Endpoint study record transferred from Draft EU Risk Assessment, 2008 |

| Reference type | Author                 | Year | Title   | Bibliographic source                                   | Testing laboratory |
|----------------|------------------------|------|---|--|--------------------|
| publication    | Freudenthal R.I. et al | 1999 | A Subchronic Toxicity Study of Fyrol PCF in Sprague-Dawley Rats | International Journal of Toxicology, 18: 173-176, 1999 |                    |

### **7.8.2 Developmental toxicity / teratogenicity**

#### **resultfeld prüfen! rel 2-key, Kawasaki, 1982**

|                                  |   |
|----------------------------------|---|
| <b>Purpose Flag</b>              | key study, used for classification, robust study summary, used for MSDS |
| <b>Study result type</b>         | experimental result   |
| <b>Reliability</b>               | 2 (reliable with restrictions)  |
| <b>Rationale for reliability</b> | No OECD Guideline or GLP defined.                                       |



## incl. deficiencies

| Reference type     | Author          | Year | Title  | Bibliographic source        | Testing laboratory   |
|--------------------|-----------------|------|--|-----------------------------|--|
| publication        | Kawasaki et al. | 1982 | Studies on the toxicity of insecticides and food additives in pregnant rats & foetal toxicity of Tris-(chloropropyl) phosphate | Oyo Yakuri, 24(5), 697-702. | National Institute of Hygienic Sciences, Osaka Branch, 1-43, 1-chome, Hoenzaka, Higashi-ku, Osaka, 540 |
| <b>Data access</b> | data published  |      |  |                             |  |

**TCPP REACH Consortium : LoA price calculation  
(complete dossier with CSR - 1000t)**

|  | <b>Assumption : 5 SIEF members</b> |                        |
|--|------------------------------------|------------------------|
|  | <b>Consortium Budgets</b>          | <b>LOA Calculation</b> |
| 2009 Budget - Consortium Management                        | € 17,925                           | € 3,585                |
| 2009 Budget - Dossier Preparation                          | € 65,632                           | € 13,126               |
| 2010 Budget - Consortium Management<br>less LOA management | € 53,850                           | € 10,770               |
| 2010 Budget - Dossier Preparation                          | € 121,431                          | € 24,286               |
| Existing Studies - Consortium Members                      | € 970,412                          | € 194,082              |
| Expenses   | € 300                              | € 60                   |
| <b>TOTAL</b>   | <b>€ 1,229,549</b>                 | <b>€ 245,910</b>       |
| Admin cost (30%)   |                                    | € 73,773               |
| <b>TOTAL WITH ADMIN COST</b>                               |                                    | <b>€ 319,683</b>       |
| Handling Fee   |                                    | € 1,000                |
| <b>LOA PRICE</b>   |                                    | <b>€ 320,683</b>       |

**Notes**

1. 2013 & 2018 prices will be calculated later based on number of 2010 registrations and expression of interest for 2013 registrations. If a SIEF member wishes to register in 2010 despite a lower tonnage band, initially the 2010 price will be charged and a reimbursement will be made once the lower tonnage prices will have been determined.

**TCPP REACH Consortium : LoA price calculation  
(complete dossier w/o CSR - 1000t)**

|  | <b>Assumption : 5 SIEF members</b> |                        |
|--|------------------------------------|------------------------|
|  | <b>Consortium Budgets</b>          | <b>LOA Calculation</b> |
| 2009 Budget - Consortium Management                        | € 17,925                           | € 3,585                |
| 2009 Budget - Dossier Preparation                          | € 65,632                           | € 13,126               |
| 2010 Budget - Consortium Management<br>less LOA management | € 53,850                           | € 10,770               |
| 2010 Budget - Dossier Preparation                          | € 121,431                          | € 24,286               |
| Existing Studies - Consortium Members                      | € 970,412                          | € 194,082              |
| Expenses   | € 300                              | € 60                   |
| Deduction if no CSR  | € (87,712)                         | € (17,542)             |
| <b>TOTAL</b>   | <b>€ 1,141,837</b>                 | <b>€ 228,367</b>       |
| Admin cost (30%)   |                                    | € 68,510               |
| <b>TOTAL WITH ADMIN COST</b>                               |                                    | <b>€ 296,878</b>       |
| Handling Fee   |                                    | € 1,000                |
| <b>LOA PRICE</b>   |                                    | <b>€ 297,878</b>       |

**Notes**

1. 2013 & 2018 prices will be calculated later based on number of 2010 registrations and expression of interest for 2013 registrations. If a SIEF member wishes to register in 2010 despite a lower tonnage band, initially the 2010 price will be charged and a reimbursement will be made once the lower tonnage prices will have been determined.

### TCPP REACH Consortium : LoA price calculation (intermediate)

|   | Assumption : 5 SIEF members |                 |
|---|-----------------------------|-----------------|
|   | Consortium Budgets          | LOA Calculation |
| 2009 Budget - Consortium Management                     | € 17,925                    | € 3,585         |
| 2009 Budget - Dossier Preparation                       | € 65,632                    | € 13,126        |
| 2010 Budget - Consortium Management less LOA management | € 53,850                    | € 10,770        |
| 2010 Budget - Dossier Preparation                       | € 121,431                   | € 24,286        |
| Existing Studies - Consortium Members                   | € 45,650                    | € 9,130         |
| Expenses  | € 300                       | € 60            |
| Deduction if no CSR                                     | € (87,712)                  | € (17,542)      |
| <b>TOTAL</b>  | <b>€ 217,076</b>            | <b>€ 43,415</b> |
| Admin cost (30%)  |                             | € 13,025        |
| <b>TOTAL WITH ADMIN COST</b>                            |                             | <b>€ 56,440</b> |
| Handling Fee  |                             | € 1,000         |
| <b>LOA PRICE</b>  |                             | <b>€ 57,440</b> |

#### **Notes**

1. Intermediate LoA is only for intermediate according to Article 17/18 REACH under strictly controlled conditions

**ANNEX 2 – Substance Identity Profile – Classification & Labelling**

## Part B

### 1. IDENTITY OF THE SUBSTANCE AND PHYSICAL AND CHEMICAL PROPERTIES

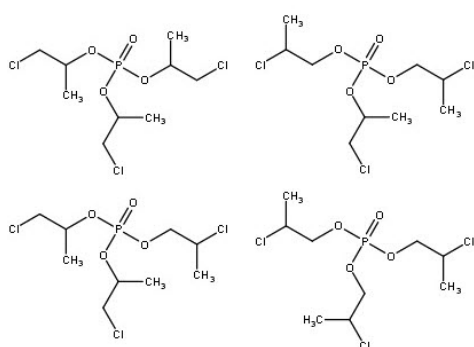
#### 1.1. Name and other identifiers of the substance

The substance [Reaction products of phosphoryl trichloride and 2-methyloxirane](#) is a UVCB (organic) having the following characteristics and physical-chemical properties (see the IUCLID dataset for further details).

Table 1.1. Substance identity

|                                   |  |
|-----------------------------------|--|
| <b>EC number:</b>                 | 807-935-0  |
| <b>EC name:</b>                   | Reaction products of phosphoryl trichloride and methyloxirane  |
| <b>CAS number (EC inventory):</b> | 1244733-77-4   |
| <b>CAS number:</b>                | 1244733-77-4   |
| <b>CAS name:</b>                  | Phosphoric trichloride, reaction products with propylene oxide   |
| <b>IUPAC name:</b>                | Reaction products of phosphoryl trichloride and 2-methyloxirane  |
| <b>Description:</b>               | The registered substance (commonly abbreviated TCPP) is obtained by reacting phosphoryl trichloride (EC No. 233-046-7, CAS No. 10025-87-3) with 3 equivalents 2-methyloxirane (EC No. 200-879-2, CAS No. 75-56-9) at elevated temperature in presence of a catalyst. The crude product is washed and dehydrated to remove acidic impurities and residual catalyst yielding the commercial product. |
| <b>Synonyms:</b>                  | Synonyms<br>TCPP   |
| <b>Molecular formula:</b>         | C <sub>9</sub> H <sub>18</sub> Cl <sub>3</sub> O <sub>4</sub> P  |
| <b>Molecular weight range:</b>    | 327.57   |

Figure 1.1. TCPP UVCB.jpg



Other identifiers:  
common name TCPP

EC Number: 807-935-0      Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP)      CAS Number: 1244733-77-4

## 1.2. Composition of the substance

Overall information on composition:

| Composition  | Related composition(s) |
|--|------------------------|
| Boundary composition of Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP) (boundary composition of the substance) |                        |
| Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP) (legal entity composition of the substance)                     |                        |

### **Name: Boundary composition of Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP)**

(boundary composition of the substance)

State/form: liquid

Degree of purity: 100 % (w/w)

Description: The registered substance (commonly abbreviated TCPP) is obtained by reacting phosphoryl trichloride (EC No. 233-046-7, CAS No. 10025-87-3) with 3 equivalents 2-methyloxirane (EC No. 200-879-2, CAS No. 75-56-9) at elevated temperature in presence of a catalyst. The crude product is washed and dehydrated to remove acidic impurities and residual catalyst yielding the commercial product.

**Table 1.2. Constituents (Boundary composition of Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP))**

| Constituent   | Typical concentration | Concentration range   | Remarks |
|---|-----------------------|-----------------------|---------|
| tris(1-chloropropan-2-yl) phosphate, isomer mixture EC no.: 237-158-7     | % (w/w)               | >=50 - <=85 % (w/w)   |         |
| bis(1-chloropropan-2-yl) 2-chloropropyl phosphate, isomer mixture EC no.: | % (w/w)               | >=15 - <=40 % (w/w)   |         |
| 1-chloropropan-2-yl bis(2-chloropropyl) phosphate, isomer mixture EC no.: | % (w/w)               | >=0 - <=15 % (w/w)    |         |
| tris(2-chloropropyl) phosphate, isomer mixture EC no.: 228-150-4          | % (w/w)               | >=0 - <=1 % (w/w)     |         |
| unspecified phosphate based impurities EC no.:                            | % (w/w)               | >=0.1 - <=4.5 % (w/w) |         |

EC Number: 807-935-0      Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP)      CAS Number: 1244733-77-4

**Name: Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP)**

(legal entity composition of the substance)

State/form: liquid

Degree of purity: ??? % (w/w)

Description: The registered substance (commonly abbreviated TCPP) is obtained by reacting phosphoryl trichloride (EC No. 233-046-7, CAS No. 10025-87-3) with 3 equivalents 2-methyloxirane (EC No. 200-879-2, CAS No. 75-56-9) at elevated temperature in presence of a catalyst. The crude product is washed and dehydrated to remove acidic impurities and residual catalyst yielding the commercial product.

**Commented [GDK3]:**  
to be completed by co-registrant

**Table 1.3. Constituents (Reaction products of phosphoryl trichloride and 2-methyloxirane (TCPP))**

| Constituent   | Typical concentration | Concentration range | Remarks |
|---|-----------------------|---------------------|---------|
| tris(1-chloropropan-2-yl) phosphate, isomer mixture EC no.: 237-158-7     | ???% (w/w)            | ???% (w/w)          |         |
| bis(1-chloropropan-2-yl) 2-chloropropyl phosphate, isomer mixture EC no.: | ???% (w/w)            | ???% (w/w)          |         |
| 1-chloropropan-2-yl bis(2-chloropropyl) phosphate, isomer mixture EC no.: | ???% (w/w)            | ???% (w/w)          |         |
| tris(2-chloropropyl) phosphate, isomer mixture EC no.: 228-150-4          | ???% (w/w)            | ???% (w/w)          |         |
| unspecified phosphate based impurities EC no.:                            | ???% (w/w)            | ???% (w/w)          |         |

**Commented [GDK4]:**  
to be completed by co-registrant

Justification for reporting set of similar nanoforms:

**Shape**

No information available on Shape from IUCLID

**Particle size distribution and range**

No information available on Particle size distribution and range from IUCLID

**Crystallinity**

No information available on Crystallinity in IUCLID

**Specific surface area**

No information available on Specific surface area from IUCLID

**Surface functionalisation / treatment**

No information available Surface functionalisation / treatment from IUCLID

Justification for reporting set of similar nanoforms:

**Shape**

No information available on Shape from IUCLID

**Particle size distribution and range**

No information available on Particle size distribution and range from IUCLID

**Crystallinity**

No information available on Crystallinity in IUCLID

**Specific surface area**



EC Number: 807-935-0      Reaction products of phosphoryl trichloride and 2-methyloxirane (TCP)      CAS Number: 1244733-77-4

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No information available on Specific surface area from IUCLID

**Surface functionalisation / treatment**

No information available Surface functionalisation / treatment from IUCLID

**ANNEX 3 – Project Manager**

**The Project Manager is:**

Jones Day, Rue de la Régence 4, 1000 Brussels, Belgium.

Tel: +32 (0) 645.14.11

# JONES DAY

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PAUL VAN HOOGHTEEN

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<sup>(2)</sup>Member of the Paris Bar  
<sup>(3)</sup>Member of the New York Bar  
<sup>(4)</sup>Member of the Düsseldorf Bar  
<sup>(5)</sup>Admitted to the Paris Bar  
<sup>(6)</sup>Member of the Naples Bar  
<sup>(7)</sup>Member of the Berlin Bar  
<sup>(8)</sup>Member of the  
Frankfurt am Main Bar  
<sup>(9)</sup>Member of the Swedish Bar  
<sup>(10)</sup>Member of the Ukrainian Bar  
<sup>(11)</sup>Member of the Plevan Bar

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April 4, 2023

BY ELECTRONIC MAIL

## TO WHOM IT MAY CONCERN

Dear Joint Registrants,

**Re: REACH SIEF Communication TCPP (EC 807-935-0; CAS 1244733-77-4)  
Recalculation of Letter of Access price for all categories**

Since additional co-registrants have purchased letters of access, the prices have been recalculated. Please find attached the new price calculations for letter of access for all categories.

Kind regards,



Ursula Schliessner

| <b>TCPPE REACH Consortium : New LoA price calculation</b>   |                           |                        |
|---|---------------------------|------------------------|
| <b>Post 12 years data protection</b>  |                           |                        |
| <b>Above 1000 tons with CSR</b>   |                           |                        |
| <b>SIEF Members - October 6, 2022</b>   |                           |                        |
|   | <b>Consortium Budgets</b> | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                  | € 3.979                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                 | € 8.347                |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                  | € 1.168                |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                  | € 4.531                |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                  | € 762                  |
| 2017 Budget Consortium Management & Dossier Preparation (*)   | € 9.000                   | € 450                  |
| 2018 Budget Consortium Management & Dossier Preparation (**)  | € 140.000                 | € 7.229                |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                  | € 2.250                |
| 2020 Budget Consortium Management & Dossier Preparation (***)   | € 32.000                  | € 1.778                |
| 2021 Budget Consortium Management & Dossier Preparation   | € 25.000                  | € 1.389                |
| 2022 Budget Consortium Management & Dossier Preparation   | € 32.000                  | € 1.778                |
| 2023 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| 2024 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| Existing Studies - Consortium Members   | € 970.412                 | € -                    |
| New Studies - PNDT 2nd species rabbit (OECD TG 414) and study monitoring (Jan. 2017) only above 1000 tons (incl. 30 % deduction for REACH only use) | € 156.100                 | € 9.182                |
| Expenses  | € 600                     | € 29                   |
| <b>TOTAL</b>  | <b>€ 1.914.630</b>        | <b>€ 49.140</b>        |
| Admin cost (30%)  |                           | € 14.742               |
| <b>TOTAL WITH ADMIN COST</b>  |                           | <b>€ 63.882</b>        |
| Handling Fee  |                           | € 1.000                |
| <b>LOA PRICE</b>  |                           | <b>€ 64.882</b>        |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant inactive from Jan. 2017.   |                           |                        |
| (**) 26,000 EUR for SC meetings split between registrants in above 1000t (17), remaining 114,000 EUR split between 20.                              |                           |                        |
| (***) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.  |                           |                        |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.   |                           |                        |

| <b>TCPP REACH Consortium : New LoA price calculation</b>  |                           |                        |
|---|---------------------------|------------------------|
| <b>Post 12 years data protection</b>  |                           |                        |
| <b>Above 1000 tons without CSR</b>  |                           |                        |
| <b>SIEF Members - October 6, 2022</b>   |                           |                        |
|   | <b>Consortium Budgets</b> | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                  | € 3.979                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                 | € 8.347                |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                  | € 1.168                |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                  | € 4.531                |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                  | € 762                  |
| 2017 Budget Consortium Management & Dossier Preparation (*)   | € 9.000                   | € 450                  |
| 2018 Budget Consortium Management & Dossier Preparation (**)  | € 140.000                 | € 7.229                |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                  | € 2.250                |
| 2020 Budget Consortium Management & Dossier Preparation (***)   | € 32.000                  | € 1.778                |
| 2021 Budget Consortium Management & Dossier Preparation   | € 25.000                  | € 1.389                |
| 2022 Budget Consortium Management & Dossier Preparation   | € 32.000                  | € 1.778                |
| 2023 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| 2024 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| Deduction for work on CSR   | € (151.172)               | € (7.199)              |
| Existing Studies - Consortium Members   | € 970.412                 | € -                    |
| New Studies - PNDT 2nd species rabbit (OECD TG 414) and study monitoring (Jan. 2017) only above 1000 tons (incl. 30 % deduction for REACH only use) | € 156.100                 | € 9.182                |
| Expenses  | € 600                     | € 29                   |
| <b>TOTAL</b>  | <b>€ 1.763.458</b>        | <b>€ 41.942</b>        |
| Admin cost (30%)  |                           | € 12.583               |
| <b>TOTAL WITH ADMIN COST</b>  |                           | <b>€ 54.525</b>        |
| Handling Fee  |                           | € 1.000                |
| <b>LOA PRICE</b>  |                           | <b>€ 55.525</b>        |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant inactive from Jan. 2017.   |                           |                        |
| (**) 26,000 EUR for SC meetings split between registrants in above 1000t (17), remaining 114,000 EUR split between 20.                              |                           |                        |
| (***) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.  |                           |                        |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.   |                           |                        |

| <b>TCPP REACH Consortium : New LoA price calculation</b>  |                           |                        |
|---|---------------------------|------------------------|
| <b>Post 12 years data protection</b>  |                           |                        |
| <b>100 to 1000 tons with CSR</b>  |                           |                        |
| <b>SIEF Members - October 6, 2022</b>   |                           |                        |
|   | <b>Consortium Budgets</b> | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                  | € 3.979                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                 | € 8.347                |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                  | € 1.168                |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                  | € 4.531                |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                  | € 762                  |
| 2017 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 450                  |
| 2018 Budget Consortium Management & Dossier Preparation<br>( <b>excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons</b> ) | € 114.000                 | € 5.700                |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                  | € 2.250                |
| 2020 Budget Consortium Management & Dossier Preparation (**)  | € 32.000                  | € 1.778                |
| 2021 Budget Consortium Management & Dossier Preparation   | € 25.000                  | € 1.389                |
| 2022 Budget Consortium Management & Dossier Preparation   | € 32.000                  | € 1.778                |
| 2023 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| 2024 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| Existing Studies - Consortium Members (99%)   | € 960.708                 | € -                    |
| Expenses  | € 600                     | € 29                   |
| <b>TOTAL</b>  | <b>€ 1.722.826</b>        | <b>€ 38.428</b>        |
| Admin cost (30%)  |                           | € 11.528               |
| <b>TOTAL WITH ADMIN COST</b>  |                           | <b>€ 49.956</b>        |
| Handling Fee  |                           | € 1.000                |
| <b>LOA PRICE</b>  |                           | <b>€ 50.956</b>        |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant inactive from Jan. 2017.   |                           |                        |
| (**) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.   |                           |                        |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.   |                           |                        |

| <b>T CPP REACH Consortium : New LoA price calculation</b>   |                           |                        |
|---|---------------------------|------------------------|
| <b>Post 12 years data protection</b>  |                           |                        |
| <b>100 to 1000 tons without CSR</b>   |                           |                        |
| <b>SIEF Members - October 6, 2022</b>   |                           |                        |
|   | <b>Consortium Budgets</b> | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                  | € 3.979                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                 | € 8.347                |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                  | € 1.168                |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                  | € 4.531                |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                  | € 762                  |
| 2017 Budget Consortium Management & Dossier Preparation (*)   | € 9.000                   | € 450                  |
| 2018 Budget Consortium Management & Dossier Preparation<br>( <b>excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons</b> ) | € 114.000                 | € 5.700                |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                  | € 2.250                |
| 2020 Budget Consortium Management & Dossier Preparation (**)  | € 32.000                  | € 1.778                |
| 2021 Budget Consortium Management & Dossier Preparation   | € 25.000                  | € 1.389                |
| 2022 Budget Consortium Management & Dossier Preparation   | € 32.000                  | € 1.778                |
| 2023 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| 2024 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| Deduction for work on CSR   | € (151.172)               | € (7.199)              |
| Existing Studies - Consortium Members (99%)   | € 960.708                 | € -                    |
| Expenses  | € 600                     | € 29                   |
| <b>TOTAL</b>  | <b>€ 1.571.654</b>        | <b>€ 31.230</b>        |
| Admin cost (30%)  |                           | € 9.369                |
| <b>TOTAL WITH ADMIN COST</b>  |                           | <b>€ 40.599</b>        |
| Handling Fee  |                           | € 1.000                |
| <b>LOA PRICE</b>  |                           | <b>€ 41.599</b>        |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant now inactive (from Jan. 2017).                                       |                           |                        |
| (**) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.   |                           |                        |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.   |                           |                        |

| <b>TCPP REACH Consortium : New LoA price calculation</b>  |                           |                        |
|---|---------------------------|------------------------|
| <b>Post 12 years data protection</b>  |                           |                        |
| <b>10 to 100 tons with CSR</b>  |                           |                        |
| <b>SIEF Members - October 6, 2022</b>   |                           |                        |
|   | <b>Consortium Budgets</b> | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation   | € 83.557                  | € 3.979                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation   | € 175.281                 | € 8.347                |
| 2012 Budget Consortium Management & Dossier Preparation   | € 24.520                  | € 1.168                |
| 2013 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2014 Budget Consortium Management & Dossier Preparation   | € 9.000                   | € 429                  |
| 2015 Budget Consortium Management & Dossier Preparation   | € 95.160                  | € 4.531                |
| 2016 Budget Consortium Management & Dossier Preparation   | € 16.000                  | € 762                  |
| 2017 Budget Consortium Management & Dossier Preparation (*)   | € 9.000                   | € 450                  |
| 2018 Budget Consortium Management & Dossier Preparation<br>( <i>excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons</i> ) | € 114.000                 | € 5.700                |
| 2019 Budget Consortium Management & Dossier Preparation   | € 45.000                  | € 2.250                |
| 2020 Budget Consortium Management & Dossier Preparation (**)  | € 32.000                  | € 1.778                |
| 2021 Budget Consortium Management & Dossier Preparation   | € 25.000                  | € 1.389                |
| 2022 Budget Consortium Management & Dossier Preparation   | € 32.000                  | € 1.778                |
| 2023 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| 2024 Budget Consortium Management & Dossier Preparation   | € 46.000                  | € 2.706                |
| Existing Studies - Consortium Members (39%)   | € 378.461                 | € -                    |
| Expenses  | € 600                     | € 29                   |
| <b>TOTAL</b>  | <b>€ 1.140.579</b>        | <b>€ 38.428</b>        |
| Admin cost (30%)  |                           | € 11.528               |
| <b>TOTAL WITH ADMIN COST</b>  |                           | <b>€ 49.956</b>        |
| Handling Fee  |                           | € 1.000                |
| <b>LOA PRICE</b>  |                           | <b>€ 50.956</b>        |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant now inactive (from Jan. 2017).                                       |                           |                        |
| (**) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.   |                           |                        |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.   |                           |                        |



| <b>TCPP REACH Consortium : New LoA price calculation</b>   |                           |                        |
|--|---------------------------|------------------------|
| <b>Post 12 years data protection</b>   |                           |                        |
| <b>10 to 100 tons without CSR</b>  |                           |                        |
| <b>SIEF members - October 6, 2022</b>  |                           |                        |
|  | <b>Consortium Budgets</b> | <b>LoA Calculation</b> |
| 2009 Budget Consortium Management & Dossier Preparation  | € 83.557                  | € 3.979                |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation  | € 175.281                 | € 8.347                |
| 2012 Budget Consortium Management & Dossier Preparation  | € 24.520                  | € 1.168                |
| 2013 Budget Consortium Management & Dossier Preparation  | € 9.000                   | € 429                  |
| 2014 Budget Consortium Management & Dossier Preparation  | € 9.000                   | € 429                  |
| 2015 Budget Consortium Management & Dossier Preparation  | € 95.160                  | € 4.531                |
| 2016 Budget Consortium Management & Dossier Preparation  | € 16.000                  | € 762                  |
| 2017 Budget Consortium Management & Dossier Preparation (*)  | € 9.000                   | € 450                  |
| 2018 Budget Consortium Management & Dossier Preparation<br><b>(excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons )</b> | € 114.000                 | € 5.700                |
| 2019 Budget Consortium Management & Dossier Preparation  | € 45.000                  | € 2.250                |
| 2020 Budget Consortium Management & Dossier Preparation (**)   | € 32.000                  | € 1.778                |
| 2021 Budget Consortium Management & Dossier Preparation  | € 25.000                  | € 1.389                |
| 2022 Budget Consortium Management & Dossier Preparation  | € 32.000                  | € 1.778                |
| <b>2023 Budget Consortium Management &amp; Dossier Preparation</b>   | <b>€ 46.000</b>           | <b>€ 2.706</b>         |
| <b>2024 Budget Consortium Management &amp; Dossier Preparation</b>   | <b>€ 46.000</b>           | <b>€ 2.706</b>         |
| Deduction for work on CSR  | € (151.172)               | € (7.199)              |
| <b>Existing Studies - Consortium Members (39%)</b>   | <b>€ 378.461</b>          | <b>€ -</b>             |
| Expenses   | € 600                     | € 29                   |
| <b>TOTAL</b>   | <b>€ 989.407</b>          | <b>€ 31.230</b>        |
| Admin cost (30%)   |                           | € 9.369                |
| <b>TOTAL WITH ADMIN COST</b>   |                           | <b>€ 40.599</b>        |
| Handling Fee   |                           | € 1.000                |
| <b>LOA PRICE</b>   |                           | <b>€ 41.599</b>        |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant now inactive (from Jan. 2017).                                      |                           |                        |
| (**) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.  |                           |                        |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.  |                           |                        |

| TCPP REACH Consortium : New LoA price calculation  |                    |                 |
|--|--------------------|-----------------|
| Post 12 years data protection  |                    |                 |
| Below 10 tons / Intermediate   |                    |                 |
| SIEF Members - October 6, 2022   |                    |                 |
|  | Consortium Budgets | LoA Calculation |
| 2009 Budget Consortium Management & Dossier Preparation  | € 83.557           | € 3.979         |
| 2010 & 2011 Budgets Consortium Management & Dossier Preparation  | € 175.281          | € 8.347         |
| 2012 Budget Consortium Management & Dossier Preparation  | € 24.520           | € 1.168         |
| 2013 Budget Consortium Management & Dossier Preparation  | € 9.000            | € 429           |
| 2014 Budget Consortium Management & Dossier Preparation  | € 9.000            | € 429           |
| 2015 Budget Consortium Management & Dossier Preparation  | € 95.160           | € 4.531         |
| 2016 Budget Consortium Management & Dossier Preparation  | € 16.000           | € 762           |
| 2017 Budget Consortium Management & Dossier Preparation (*)  | € 9.000            | € 450           |
| 2018 Budget Consortium Management & Dossier Preparation (excl. EUR 26.000 for SC meetings due to dossier update on above 1000 tons ) | € 114.000          | € 5.700         |
| 2019 Budget Consortium Management & Dossier Preparation  | € 45.000           | € 2.250         |
| 2020 Budget Consortium Management & Dossier Preparation (**)   | € 32.000           | € 1.778         |
| 2021 Budget Consortium Management & Dossier Preparation  | € 25.000           | € 1.389         |
| 2022 Budget Consortium Management & Dossier Preparation  | € 32.000           | € 1.778         |
| 2023 Budget Consortium Management & Dossier Preparation  | € 46.000           | € 2.706         |
| 2024 Budget Consortium Management & Dossier Preparation  | € 46.000           | € 2.706         |
| Deduction for work on CSR  | € (151.172)        | € (7.199)       |
| Existing Studies - Consortium Members (5%)   | € 48.521           | € -             |
| Expenses   | € 600              | € 29            |
| <b>TOTAL</b>   | <b>€ 659.467</b>   | <b>€ 31.230</b> |
| Admin cost (30%)   |                    | € 9.369         |
| <b>TOTAL WITH ADMIN COST</b>   |                    | <b>€ 40.599</b> |
| Handling Fee   |                    | € 1.000         |
| <b>LOA PRICE</b>   |                    | <b>€ 41.599</b> |
| (*) DF 21 changed back to 20 registrants as one formerly active registrant now inactive (from Jan. 2017).                            |                    |                 |
| (**) DF 20 changed to 18 registrants as two registrants ceased their registration as of 2020.  |                    |                 |
| Note: As of January 1, 2023, the DF will change to 17 due to resignation of a Member.  |                    |                 |

# JONES DAY

AVOCATS – ADVOCATEN

MICHÈLE GRÉGOIRE<sup>(5)</sup>  
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April 24, 2024

BY ELECTRONIC MAIL

## TO WHOM IT MAY CONCERN

Dear Joint Registrants,

**Re: REACH SIEF Communication TCPP (EC 807-935-0; CAS 1244733-77-4)  
New Self-Classification – Dossier Update Imminent**


This is to let you know that LANXESS Deutschland GmbH, the Lead Registrant, with the agreement of the EU-TCPP REACH Registration Consortium (the “Consortium”) Members that have prepared and are keeping the TCPP joint registration dossier up-to-date, will shortly (in June 2024) file another registration dossier update. This dossier update is necessary because new data has become publicly available from Carcinogenesis Studies conducted by the United States National Toxicology Program.

After thorough assessment of this new data, the Members of the Consortium have come to the conclusion that it is necessary to self-classify and label TCPP as Carcinogen Category 2, H351 (suspected carcinogen). The Guidance on safe use will be updated accordingly. Based on today’s knowledge, the current Exposure and Risk assessment of TCPP remains appropriate, because the Derived No Effect Levels (DNEL) will not change.

We are sending you this SIEF communication in advance of the dossier update so that you can start implementing the classification changes to your safety data sheets and inform your customers about the change of classification required.

Thank you for your attention.

Kind regards,



Ursula Schliessner

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# JONES DAY

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July 11, 2024

BY ELECTRONIC MAIL

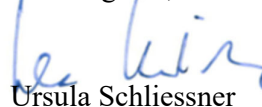
## TO WHOM IT MAY CONCERN

Dear Joint Registrants,

**Re: REACH SIEF Communication TCPP (EC 807-935-0; CAS 1244733-77-4)**

Consistent with the last SIEF communication of April 24, 2024, this is to let you know that the dossier was updated with ECHA in June 2024 (carc. 2 H 351). LoA prices will soon be updated to include ongoing and upcoming work in 2025 / 2026.

Kind regards,



Ursula Schliessner