European Chemicals Agency

Helsinki, 16 -02- 2011
SMH/mak I(2011)0022

Note for the attention of
Jose Tarazona, Chair of the Committee for Risk Assessment

Subject: Request to the Committee for Risk Assessment for an opinion on gallium arsenide in relation to carcinogenicity

1 Background

The Committee for Risk Assessment (RAC) is requested to draw up an opinion according to the following mandate:

On 25 May 2010 RAC adopted an opinion on a proposal for the harmonised classification and labelling of gallium arsenide. RAC concluded that a classification of carcinogenicity category 1A (Regulation EC No. 1272/2008) was appropriate.

In order for the Commission to make a decision in relation to the proposed classification, it has requested ECHA to see whether there is any new or relevant information concerning the carcinogenicity of gallium arsenide and its metabolic products. The request from the Commission to the Executive Director of ECHA is attached as Annex 1 to this mandate.

To collect any new or relevant information, ECHA plans to carry out a public consultation on the carcinogenicity of gallium arsenide. The public consultation will be targeted to new and relevant information, in addition to that already assessed by RAC when forming its opinion of 25 May 2010.

2 Terms of Reference

To allow the European Commission, on the basis of scientific advice, to decide, in accordance with Article 37(5) of the CLP Regulation, the appropriate harmonised classification and labelling of gallium arsenide, pursuant to Article 77(3)(c) of REACH, RAC is requested to:

> *Review and evaluate any information arising in the public consultation in order to decide whether it is new and relevant and to draw up an opinion accordingly to assist the Commission to decide on the appropriate classification of gallium arsenide in relation to carcinogenicity.*

3 Timescale for the RAC opinion

The European Commission has not specified a deadline to receive the opinion of the Committee for Risk Assessment. However, it is understood that the Commission wishes to clarify the proposed harmonised classification and labelling as soon as

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practicable. Nevertheless, it is proposed to hold the public consultation for the period usually allowed for CLH dossiers, i.e. 45 days. In addition, the timing of the RAC opinion will depend upon what information becomes available during the public consultation. If no new and relevant information is provided it is aimed to confirm a RAC opinion at RAC-16 (7-9 June 2011). However, should information be provided that is new and relevant the RAC (co-) rapporteurs will need to compare this new information with the criteria for classification for carcinogenicity that are specified in Regulation 1272/2008. In this eventuality, an extended timeframe will be drawn up based upon the advice of the (co-) rapporteurs and the Commission.

4 Remuneration

The task for RAC following from this request is not considered to fulfil any of the requirements of a transfer of funds to the competent authorities of the Member States pursuant to Article 14(1) of Regulation (EC) No 340/2008 and therefore no remuneration will be paid by the Agency.

Geert Dancet
Executive Director

Cc: Pilar Rodriguez Iglesias, Joerg Lebsanft, Jukka Malm.

Annex 1 – The request to ECHA from the European Commission of 10 December 2010.
Annex 2 - RAC opinion on gallium arsenide of 25 May 2010.