



The Chemical Company

BASF SE, 67056 Ludwigshafen, Germany

Office of the Secretary,  
Consumer Safety Commission  
Dr. Michael A. Babich

Wednesday 7, July, 2010  
Dr. Rainer Otter  
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## CHAP on Phthalates

Dear Dr. Babich,

BASF as a producer of Hexamoll®DINCH, DINP, DEHA and TOTM hereby takes the opportunity to send comments on the mentioned substances for the "CHAP on Phthalates".

Please find attached the comments from BASF SE on the "Review of Exposure and Toxicity Data for Phthalate Substitutes", issued under Contract No. CPSC-D-06-0006, Task Order 004.

In general, we find numerous errors and frank omissions of information that could have been obtained from internet sources.

Furthermore, the tone of the descriptions of the toxicology data for DINCH implies an unwillingness of BASF to provide data - a tone that we find is completely unfounded.

The data ownership rules for companies submitting information in the EU under REACH do not allow for release of reports unless confidentiality can be guaranteed - something that the CPSC cannot provide yet, according to the current rules as published on Federal Register, Vol. 75, No 106, p 31428.

To imply otherwise in a public document is prejudicial and does not reflect what should be an impartial presentation of information. We have repeatedly offered to provide answers to specific questions on any of the study reports for DINCH.

BASF SE and BASF Corporation hope that the CHAP and CPSC appreciate the circumstances under which we can assist them.

We also enclose a recent evaluation from the Dutch competent authority  
Advice by the Director of the Office for Risk Assessment To the Minister of Health, Welfare & Sport and the Minister of Agriculture, Nature and Food Quality, Reference: VWA/BuR/2010/6514

Sincerely Yours



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