PPTA
Plasma Protein Therapeutics Association

20 December 2006
Reference: DGENT060015

BY E-MAIL
Nicolas.Rossignol@cec.eu.int
Martin.Terberger@cec.eu.int

Dr. Martin Terberger
Mr. Nicolas Rossignol
Commission of the European Communities
DG Enterprises
Rue d'Arlon 88
1049 Brussels

SUBJECT: PPTA's comments on the revision of the variations regulations

Dear Dr. Terberger, dear Mr. Rossignol,

Thank you very much for the opportunity to participate in the European Commission Industry Workshop on 12 December 2006 on the revision of the "Commission Regulations (EC) No 1084/2003 and (EC) No 1085/2003" and the related "Guideline on dossier requirements for Type IA and Type IB notification (July 2003)" regulations. We appreciate the Commission's commitment to proceed with the revision procedure recognising the urgency to provide relieve to our member companies as well as regulatory authorities from the burdensome requirements associated with the current variations regulations. Most importantly, a simplified approach will accelerate the provision of the scarce and often life saving therapies our member companies provide to patients in need.

Please find attached PPTA's comments on the consultation paper of the European Commission dated 20 October 2006 (DGENT06014), which also have been presented at the industry workshop on 12 December 2006. Since the majority of PPTA member companies' products are licensed through national procedures, we strongly support inclusion of purely national authorisations within the scope of the revised variations legislative framework provided predictability of review processes and timelines for implementation are ensured by the participating Member States.

In 2004 and 2005, we have written to the Commission jointly with other associations representing manufacturers of biological products requesting revisions to the variations regulations, because of the serious negative impact on biological products, which are subject to significantly more restrictive requirements than other pharmaceuticals. As a consequence, Type II variations are almost automatically required by the Member States and by EMEA for biologicals. These stricter requirements for biologicals appear unjustified in many situations, since the impact on the quality, safety and efficacy of the final product is not different for 'classical' pharmaceuticals and biologicals.

Boulevard Brand Whitlock, 114/5 · 1200 Brussels BELGIUM · tel : +32.2.705.58.11 · fax : +32.2.705.58.20
VAT: BE453 837 462 · e-mail: pptaeu@pptaglobal.be · www.pptaglobal.org
PPTA Offices in Brussels · Washington · Annapolis · Tokyo

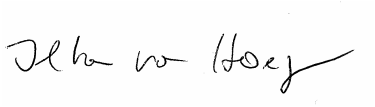
Section 8.2 of the Commission Consultation paper dated 20 October 2006 lists a number of variations conditions for biologicals which are proposed for reclassification. PPTA greatly welcomes these proposed reclassifications, but we believe that there are more instances of changes that currently require Type II variations, which should be included into the reclassification process. We have prepared a non-exhaustive list of examples of different classes of Type IA and Type IB, which we would like to bring to your attention (DGENT06016 copy attached). The forth mentioned not withstanding, we believe that a science-based risk management approach should be employed to classify the variations, rather than implementing a rigid tick box approach by preparing exhaustive lists for each variation category. A list of examples would only serve as a helpful tool in decision making processes.

When a manufacturer has agreed post-licensure commitment with the Competent Authority in the license application process no variation should be filed after the fulfilment of the commitment.

In your consultation paper dated 20 October 2006, the intention is stipulated to clarify the legal applicability of the Variations Regulations to the VAMF/PMF. PPTA welcomes the establishment of a variation system for the PMF. An implementation guideline would provide additional guidance. As with variations for biologicals in general, the classification for changes to the PMF should not necessarily be subject to type II variations, because the majority of changes are of no or minor impact on quality, safety and efficacy and do not require extensive review. PPTA suggests elimination of the second step procedure as the product license impact could be included in the first step assessment (expansion of the successful shared assessment concept). We will provide you with more detailed information on PPTA's position early 2007 and hope that you will take them into consideration.

We hope that our proposal will find your consideration and we remain at your disposal for further discussions.

Yours sincerely,



Dr. Ilka von Hoegen
Director, Regulatory Affairs

Enclosures: DGENT06014, DGENT06016