From: [redacted]
Sent: 29 March 2013 11:18
To: SANCO ADVANCEDTHERAPY REPORT
Cc: W.Feitz@uro.umcn.nl
Subject: ATMP

Follow Up Flag: Follow up
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Dear contact,

I am working as a Pediatric Urologist at the Radboud University Nijmegen MC. Our research involves Regenerative medicine and reconstruction. The research has been and is supported by different EU programs (EuroSTEC, MultiTERM, EuroSkinngraft, COST-REST, iTERM).

One of the problems encountered is the continuation of Research as Consortia partners need time to trust each other and a 5 year program is sometimes to short to reach pre-market prototypes.

The development and regulations for bioactivated medical devices with growth factors are currently unclear as far as I understood.
Also the description of the needed type of animal studies is unclear as well as the predictability of clinical outcome.

We recently described the ethical issues involved in this field which might need further in depth studies.
A. J.M. Oerlemans, W.F.J. Feitz, E. van Leeuwen, W.J.M. Dekkers. Regenerative Urology Clinical Trials: An Ethical Assessment of Road Blocks and Solutions. Tissue Eng, part B, reviews, E-pub, 2012.

2. CONSULTATION TOPICS

2.1. Marketing authorisation application requirements for advanced therapy medicinal products.

The Advanced Therapy Regulation provided for adapted requirements in terms of the dossier that applicants must prepare to demonstrate the quality, efficacy and safety of the medicinal products when applying for a marketing authorisation.
The amount of data that must be generated for the submission of a marketing authorisation application is critical to ensure a high level of public health protection. Proportionality of the requirements is also important to facilitate the marketing of advanced therapies.
Please provide your comments on the requirements for marketing authorisation applications set out in the Regulation.

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2.2. Requirements for combined advanced therapy medicinal products.

The existence of advanced therapy medicinal products that incorporate one or more medical devices has been recognised and regulated in the Advanced Therapy Regulation. In

particular, combined advanced therapy medicinal products are to be authorised by the Commission following the scientific assessment of the European Medicines Agency. The applicant must demonstrate that the essential requirements of the specific legislation on medical devices have been complied with and there is a possibility for the Agency to consult the relevant notified bodies.
No application for a combined advanced therapy medicinal product has been submitted to the European Medicines Agency yet.
Please provide your views on the authorisation procedure foreseen in the Advanced Therapy Regulation for combined advanced therapy medicinal products.

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2.3. Hospital exemption.
The Advanced Therapy Regulation empowers Member States to authorise the use of advanced therapy medicinal products in hospitals for individual patients in the absence of a marketing authorisation. The so-called hospital exemption provides for flexibility to address the situation of individual patients; however, a too large application of this exemption may discourage the application for marketing authorisations.
Please provide your views on the application of the hospital exemption.

The only way to proceed with new devices, bioactivated devices, ATMP's is the use of Hospital exemption in a small number of Hospitals. However when the number to potentially treat is small and the follow up time is long (as in children) this will be problematic.

Also new non-invasive in vivo evaluation methods are needed to follow the biological process in the patient.
There are several problems concerning the production of HTEP, the possible clinical study setup and the informed consent of the patent s and patients.
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2.4. Incentives for the development of advanced therapy medicinal products.
Advanced therapies are at the cutting edge of innovation. The full development of the potential of this sector is closely linked to the evolution of scientific knowledge. The Advanced Therapy Regulation provides for a number of incentives to support the development of these products, such as certification for quality and non-clinical data, reduced fees, scientific advice.
Please provide your views on the incentives provided for under the Advanced Therapy Regulation.

Free open and closed consultations should be offered to the researchers and SME companies to discuss scientific progress, production facilities and process and the regulatory aspects.

2.5. Scope and adaptation to technical progress.
The Advanced Therapy Regulation applies to gene therapy medicinal products, somatic cell therapy medicinal products and tissue engineered products.
Please provide your views on the scope of the Regulation and in particular as to whether the Scope should be modified to take account of technical progress.

The scope should be modified to include bioactive (growth factor loaded) medical devices as these cannot be studied according to the pharmaceutical regulations due to the number of patients needed and suitable study design.

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