PHARMIG
Verband der pharmazeutischen Industrie Österreichs

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PHARMIG response to the European Commission Concept Paper: Delegated Act on the Principles and Guidelines of Good Manufacturing Practice for Active Substances in Medicinal Products for Human Use

PHARMIG, the association of the Austrian pharmaceutical industry, would like to thank the European Commission for the opportunity to comment on the Concept paper for the Delegated Act on the Principles and Guidelines of Good Manufacturing Practice for Active Substances in Medicinal Products for Human Use.

Please find following our comments.

1. Extension of the Directive on GMP for medicinal products to active substances

Consultation item No 1: Do you agree with this appraisal and approach? Please comment.

PHARMIG comment:

In our understanding the GMP principles for APIs, which are already established in EU GMP Guide Part II – consistent with ICH Q7A, should be formally adopted by the European Commission as stated in Directive 2011/62/EU under Article 1(7). If it is now considered that the standards of API GMP principles need strengthening, then we propose to first revise the corresponding ICH documentation as well as consequently the Part II requirements, so that the standards across the ICH regions remain aligned.

Furthermore we want to point out that in the current German version of Directive 2011/62/EU the definition of active substance might lead to misinterpretations. In the German version it is not clearly indicated to which word the subclause "und im Fall der Verwendung bei seiner Herstellung" (engl. "when used in its production") is referred. The English definition on the other hand does not lead to any misinterpretation. Therefore it should be clearly indicated in the delegated act that Directive 2003/94/EC will be extended to active substances but not to all starting materials of active substances.

2. Adaptation of regulatory requirements of Directive 2003/94/EC to active substances

2.1. Provisions in Directive 2003/94/EC that would not apply to active substances

Consultation item No 2: Are there other aspects which should be considered? Please comment.

PHARMIG comment:

In our opinion the approach set out in the concept paper is not applicable for defining the principles of GMP for APIs. A listing of all exceptions which do not apply for APIs as it is proposed in 2.1 will become too long and confusing.

Therefore we strongly recommend to add an additional chapter to the Directive 2003/94/EC quoting all specific provisions for GMP for APIs. By this means a clear discrimination between GMP for APIs and GMP for medicinal products can be achieved.

2.2. Provisions in Directive 2003/94/EC that would need to be amended

Consultation item No 3: Do you consider this list complete? Please comment.

PHARMIG comment:

As already answered under consultation item No 2 we do not support the approach set out in this concept paper. Instead of listing all exceptions we would prefer one additional chapter with all provision for GMP for APIs.

2.3. Other provisions on active substances that could be added to Directive 2003/94/EC

Consultation item No 4: Do you agree with this specific point? Do you consider that other provisions specific to active substances should be added?

PHARMIG comment:

Under Point 16 it is proposed: "In particular, an obligation could be placed on the manufacturer of the active substance to make ensure that the starting material is sourced from the premises claimed by the manufacturer of the starting material."

We do not agree with this proposal because it widely exceeds the provisions of Directive 2011/62/EU.

In this context we want to point out that the manufacturer of active substances does not necessarily have full influence on the distribution channels of all of its suppliers (e.g. bulk chemicals, commodities,…).

We generally support to focus on active substances regarding supply chain as applied in EU GMP Part I for starting materials. Of course further attention – following a risk based approach – can be turned to necessary critical raw materials used in the manufacture of the active substance but not as a general approach to the whole synthesis path of the active substance.

3. Other issues

3.1. Date of transposition of the delegated act

3.2. Date of application of the delegated act

Consultation item No 5: Please comment on section 3. Please raise any other issues or add any other comments you wish to make which have not been addressed in the consultation items set out above.

PHARMIG comment:

We would like to address that any provisions which will be defined in the final delegated act have to be in accordance with the provisions of the „Implementing Act on the Requirements for the Assessment of the Regulatory Framework Applicable to the Manufacturing of Active Substances of Medicinal Products for Human Use“ and vice versa. For this reason it might not have sense to publish the Implementing Act before the Delegated Act on GMP for APIs as it has been done for the Concept papers. A publication of the implementing act first might cause a subsequent revision of itself after the release of the delegated act.