EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Health systems and products
Medicinal products – authorisations, European Medicines Agency

PHARM 696

PHARMACEUTICAL COMMITTEE
21 October 2015

Subject: **Clinical Trials Regulation: update on the implementation**

Agenda item 2e

Update from the Commission

The Commission (COM) is actively involved in the preparation of the implementation of the new Clinical Trial Regulation (CTR) (EU) 536/2014 to ensure its timely application.

Ad hoc group on clinical trials

Two meetings were held with the *ad hoc* group on clinical trials, established under the Directive 2001/20/EC:

EU Portal and database
During both meetings EMA gave an update on the progress of the development of the EU Portal and database.

In April EMA informed the group that a document outlining the technical features to enable documents and structured data to be made public in the database was endorsed by the EMA Management Board on 8 March 2015 and was published on the EMA website.

During the meeting in September EMA updated the *ad hoc* group on status regarding the appendix to the functional specifications of the EU portal and database which details the rules on transparency that will apply to the various documents uploaded in the EU database. These rules, which were prepared by EMA in collaboration with the Commission and the Member States (MS), will ensure access to the public of the content of the EU database but at the same time the possibility for sponsor to request a delayed publication of documents which contain commercial confidential information (specific conditions and maximum time limits have been put in place for the various types of documents and types of trial). The content of this annex has been subject to wide consultations (a public consultation and several targeted consultations during the various phases of development). All stakeholders (industry, patients, consumers groups, civil

society representatives) were consulted. The appendix was endorsed by the EMA Management Board on 2 October.

Additionally during the September meeting EMA gave an outline of the plan with timelines for the various milestones of the EU portal and database project. These timelines are currently being discussed with MS.

Clarifications and discussions of aspects relating to procedures and rules for the implementation of the Regulation

During both meetings COM gave presentations with the aim of clarifying and discussing with delegates certain outstanding issues that have arisen during discussions held with different groups. These included clarification of the possibility of a negative opinion by an Ethics Committee (art 8.4) and the extension of timelines for Advanced Therapy Medicinal Products (ATMPs). Additionally COM sought to understand what MS consider to be "conditions", referred to the in CTR when a decision is issued stating that a Clinical Trial (CT) is "acceptable subject to compliance with specific conditions". Preliminary discussions were held on what MS consider to be tasks and responsibilities of a legal representative of a non-European Economic Area (EEA) sponsor.

Discussions were held with the *ad hoc* group on a number of priority Q&As, the outcome of which would have an impact on the structure of the EU portal and database. This included discussions on:

- the processes that can occur after the end of a trial: e.g. the possibility of a MS taking a corrective measure;
- the timing of the submission of interim and sub-study results; and
- which scientific reasons would allow the extension of the time for publication of the summary of results.

As part of the ongoing update of the Q&A document, the Commission asked for volunteers to form task groups to provide their expertise to review and update certain sections (targeted to start in 2016). Some MS have already indicated their interest and we would greatly appreciate the support of others.

A presentation, which was prepared by the Clinical Trials Facilitation Group (CTFG) was given in April regarding the criteria for the selection of the Reporting Member State (RMS) during validation period.

In the September meeting presentations on Good Laboratory Practice (GLP) principles, also related to ATMPs were given by colleagues from DG GROW (D2) and DG SANTE (D5). The current statement on GLP available on HMA websites will be updated, taking into consideration the particular case of ATMPs and will also be included in the Q&A.

Additionally, an update was given by three lead Member States (DE, NL, UK) on the progress of the ongoing work on the update of two existing guidelines and preparation of two new ones.

Legal obligations

3 public consultations related to legal obligations from the Clinical Trial Regulation were launched in August for a 3-month consultation period:

1. Detailed arrangements for clinical trial inspection procedures including the qualification and training requirements for inspectors pursuant to Article 78(7) of Regulation (EU) No 536/2014
2. Commission Delegated Act on principles and guidelines on good manufacturing practice for investigational medicinal products and on inspection procedures, pursuant to the first subparagraph of Article 63(1) of Regulation (EU) No 536/2014
3. Detailed Commission guidelines on good manufacturing practice for investigational medicinal products, pursuant to the second subparagraph of Article 63(1) of Regulation (EU) No 536/2014

Comments should be sent not later than 24 November 2015. For further information please refer to the following link http://ec.europa.eu/health/human-use/clinical-trials/developments/index_en.htm

Following the public consultation the comments received will be reviewed. The working documents will be updated and presented to the *ad hoc* group in Q1 2016.

The Commission will soon start working on other legal obligations such as the guidelines for the formatting and sharing of raw data for cases where the sponsor decides to share on a voluntary basis.

Coordination

The Commission continues to closely follow the work of other bodies and groups involved in the preparation of the implementation of the new Regulation, such as the various EMA working groups (Good Clinical Practice Inspectors Working Group (GCP IWG), Good Manufacturing and Distribution Practice (GMDP) IWG, Committee for Advanced Therapy Medicinal Products etc), the Clinical trials Facilitation Group (CTFG), and the EU Clinical Trials Regulation Coordination Group.

It is also steering the process for the update of the related guidelines (e.g. those in Eudralex) as well as for the preparation of new guidelines.

May we remind those Member States who have not yet informed COM of the contact point for the facilitation of the functioning of the procedures related to the Clinical Trial Regulation (Art 83 of the Regulation), to send this information to COM as soon as possible. Please note that the contact point will also be the member of the Clinical Trials Advisory Group (CTAG) (art 85 of the Regulation).

Action to be taken:
For discussion/For information