EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

<Date of submission>

Submission of comments on 'GMP Annex 16 Certification by a Qualified Person and Batch Release' (Revision 1)

Comments from:

Name of organisation or individual
European Industrial Gases Association

Please note that these comments and the identity of the sender will be published unless a specific justified objection is received.

When completed, this form should be sent to the European Medicines Agency electronically, in Word format (not PDF).

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1. General comments

Stakeholder number *(To be completed by the Agency)*	General comment (if any)	Outcome (if applicable) *(To be completed by the Agency)*
	Thank you for considering our comments from the European Gases Industry.	
	EIGA's members fully support regulation and offer the legislators to cooperate through combining expertises. Although we are in agreement on most of this revision 1, we do see a serious difference with Dir 2001/83 and we like to express again our great concern that, in those few countries where the national Health Agency's interpretation of the Annex 16 is such that every manufacturing site requires permanently & continuously a QP (and a deputy QP), we experience that there are simply not enough Pharmacist QP's available on the market to populate the approx 300 manufacturing sites in the country. Some sites, as for homecare liquid oxygen trans-filling into patient mobile tanks, only a couple of batches (of approx 10 packages) are filled per day, with no other medicinal production at all, manned by only a single operator. However, because this product is at cryogenic temperatures of -185^{o}C, the production site has to be located close to the patients and hospitals hence the need for multitude of sites to cover the country geographically. Within a medicinal gas Marketing Authorisation Holder, the manufacturing sites have a common Quality Management System, identical validated production	

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	processes and product.	
	We like to highlight also the difficult position we are in, in between some national Inspectors and their European counter parts. Indeed, upon our request to meet and explain our case for multiple site certification, national Inspector departments say they cannot change their national regulation because the Annex 16 doesn't reflect or make clear this multiple site certification, whilst on the other hand the IWG refer us back to these national authorities to solve this issue nationally.	
	We hope that with our proposals below, we contribute to a consistent interpretation by member states and practical solution (such as in 3.6 below) on the matter of QP certification of finished product for multiple sites.	

2. Specific comments on text

Line number(s) of the relevant text *(e.g. Lines 20-23)*	Stakeholder number *(To be completed by the Agency)*	Comment and rationale; proposed changes *(If changes to the wording are suggested, they should be highlighted using 'track changes')*	Outcome *(To be completed by the Agency)*
3.2		Comment: In line with our other comments below and our objective to avoid inconsistent interpretation, we propose to add a sentence. Proposed change: Add: *Certification can be performed irrespective of the location of the QP.*	
3.3, 1st paragraph		Comment: EU legislation Directive 2001/83/EC requires at least one QP to be at the disposal of a manufacturing authorisation holder but makes no reference to requirements per site. We believe that the current wording of the new draft Annex 16 section 3.3 does not reflect the above Directive and this should be addressed prior to its finalisation. In order to stay in line with the Directive 2001/83/EC and avoid interpretations that exceed this directive, we propose to re-use the wording of Annex 16 par 4.1 version July 2001, with additional clarification.	

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		An additional rational is that, to ensure compliance with the requirements listed in par 2.4, a Quality Risk Management should define the number of QP's required to cover all manufacturing sites. Proposed change: Delete sentence: "~~Each manufacturing site in the EEA must have at least one QP~~." And replace with : *Each manufacturing site should have at its disposal the services of at least one QP.* *A QP can be responsible for more than one manufacturing site.*	
3.3 2nd paragraph		Comment: To be in line with the above proposal, the following correction is made: Proposed change: "Where the site only undertakes partial manufacturing operations in relation to a batch then a QP ~~at~~ *responsible for* that site must confirm…"	

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3.6		Comment: In addition to all our other comments made in this form, and in analogy of the reference to Annex 3, we propose to describe the batch certification and release requirements particular for medicinal gases in GMP Annex 6. If this proposal would be acceptable to the IWG, we could help to draft such requirements for publication in Annex 6. Proposed change: For certain products, special guidance may apply, such as Annex 3 *and Annex 6* of GMP.	
5.1		Comment: Referring to the Reflection paper EMEA/INS/GMP/227075/2008, we propose to use the same wording as in this paper and delete the word 'unexpected', which can lead to ambiguity. Proposed change: "…, consider confirming compliance/certifying a batch where an unplanned *or exceptional* ~~and unexpected~~ deviation from details…"	
6.1		Comment: It is indeed important that an unreleased batch remains under	

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		control, i.e. under quarantine, independent of the site of storage or shipment. Proposed change: Delete the words "to another authorised site" to cover all possible situations. "Until a batch is released it should remain under quarantine at the site of manufacture or whilst being shipped ~~to another authorised site~~."	
7. Glossary		Comment: A definition of 'batch release' would be helpful, using the words of par 2.3.3 Proposed change: Add: ***Release of a finished product batch****: the release of a batch is the assigning of release status to the finished batch of product for sale or export, which takes into account the certification performed by the QP.*	