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EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

Directorate B - Health systems, medical products and innovation
B4 – Medical products: quality, safety and innovation

Meeting between European Commission (DG SANTE, unit B4) and the European Medicines Agency

September 11, 2018, EMA offices, London

Summary Minutes

Participants

The meeting was attended by personnel from the Substances of Human Origin (SoHO) team in DG SANTE, unit B4, the head of that unit and EMA personnel, particularly those working on blood products, advanced therapy medicinal products and on liaison with the European Commission. A representative of DG SANTE unit B5 also participated. A list of participants is provided in an annex. The meeting was chaired by Ana Hidalgo-Simon, EMA.

Introduction

This meeting took place in the context of the ongoing Evaluation of the EU legislation on blood, tissues and cells (BTC)[1]. This legislation was first adopted in 2002 (blood) and 2004 (tissues and cells), with the aim of ensuring high standards of safety and quality when blood, tissues and cells are used for human application. The Evaluation aims to assess whether the Directives achieved this objective and whether they remain fit for purpose.

This meeting had been requested by DG SANTE to present the preliminary findings of the Evaluation and to exchange views with EMA on some issues raised through a stakeholder consultation organised as a key part of the process. The discussion focused on those issues connected with SoHO used for the manufacture of medicinal products .

Following the introduction of the participants, DG SANTE presented the high level results of the evaluation, to date. The legislation is being evaluated according to the five criteria defined in the Better Regulation rules of the European Commission[2]:

1. **Effectiveness**: *"Has the legislation increased/ensured safety and quality? Are there unforeseen negative effects?"*
2. **Relevance**: *"Is the current framework up to date and aligned with sector developments?"*

[1] https://ec.europa.eu/health/blood_tissues_organs/policy/evaluation_en
[2] https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en

3. **Efficiency**: *"Is there an acceptable cost-benefit ratio for professionals in the field and overseeing authorities?"*
4. **Coherence**: *"Is there consistency and effective interfaces with other EU regulatory frameworks, and with global regulatory frameworks?"*
5. **EU added-value**: *"Is the EU the correct level at which to regulate this field or could it be done as well or better at national or global levels?"*

The key messages emerging so far from the public consultation are that the legislation was effective in improving safety and quality of BTC and in improving public health and the EU was the right level at which to regulate these fields. However, a number of shortcomings and gaps had been identified, particularly in relation to effectiveness, relevance and coherence. Many of the issues raised are related to significant changes that have taken place since the adoption of the main acts in 2002 and 2004, e.g. in science and technology.

The meeting provided an opportunity for discussion of a number of themes of interest to both the Commission and EMA. It was agreed that it would be useful to have more frequent exchanges of information on these topics, via the appropriate liaison channels.

The following topics were discussed:

Blood products and Plasma Master File (PMF)

EMA explained the functioning of the PMF certification procedure and described the interactions between the PMF drafting group, EMA's Biologics Working party and CHMP.

EMA also clarified the role of the EMA's Blood Products Working Party with respect to medicinal product evaluation, scientific guidelines, interactions with stakeholders and with international regulators such as the US FDA and Health Canada (in the so-called "blood cluster"). The main issue reported by stakeholders to EMA as well as to the EC concerns the supply of plasma for PDMP manufactures and the EU dependence on the US for an adequate supply to meet patient needs.

The linkage of PMFs to EU blood legislation, particularly in relation to donor evaluation (e.g. deferral of men having sex with men), donor testing and epidemiological data reporting in the PMF was briefly discussed.

DG SANTE reported on an initiative to explore the barriers and success factors for increasing plasma collection through an expert symposium involving all key stakeholders, scheduled for early 2019. The event will be organised by EDQM (Council of Europe) and co-funded by the EU Public Health Programme. EMA will be invited to participate.

On the subject of inspection for blood establishments (including plasma collection centres), EMA referred to the ongoing work with the Member States, in the context of PMF certification, towards supporting a risk-based rather than a fixed-frequency inspections approach.

Registries of clinical follow-up data

DG SANTE is actively supporting work on clinical registries in the fields of BTC through the public health programme. An identified need for requiring clinical outcome data as part of the authorisation of processing steps applied to the blood, tissue or cell donation (preparation

process authorisation) had been strongly emphasised by stakeholders so far in the BTC evaluation. Patient follow up registries have been identified as useful supporting tools for this activity. EMA has started several activities in relation to registries, including a clinical registries initiative[3] and has recently qualified the main EU haematopoietic stem cell registry run by the European Society of Blood and Marrow Transplantation (EBMT) as a possible source of data for post-market monitoring of medicinal products developed in that field. In addition, two workshops have been organised by the EMA for the use of registries in CAR-T cells (February 2018) and Haemophilia products (June 2018). These initiatives will benefit from sharing of ideas and lessons learned between SANTE and EMA.

Coherence with Tissues and Cells legislation

The main issue identified by EMA related to the need to import tissues or cells via EU authorised tissue establishments, when they are destined for ATMP manufacture. This has been raised to them by stakeholders as complex, particularly in the context of autologous treatments. DG SANTE confirmed that this issue has been raised also in the open public consultation for the BTC evaluation and, as an initial step, agreed to consider publishing a Q&A on the requirements for importing tissues and cells into the EU.

Discussion on borderline substances/products

EMA participants noted some challenges related to the regulatory status of some products/substances of human origin and SANTE confirmed that stakeholders in the BTC consultation have also raised this issue. From discussing some examples, it was noted that EMA is sometimes asked to provide advice / guidance on products, where a classification as medicinal product has not yet been made. It was noted that many SoHO based therapies are regulated differently in different Member States. The participants noted that classification falls under the responsibility of Member States and that there is no multi-disciplinary EU-level forum where new emerging therapies are discussed across the three regulated sectors (medicinal products, substances of human origin and medical devices). It was considered that substances/products that cross the borderlines or fall into regulatory gaps are likely to become more numerous as innovation in these fields progresses into the future.

All participants were thanked by the chair, and each other, for their open and informative contributions.

[3] http://www.ema.europa.eu/ema/index.jsp?curl=pages/regulation/general/general_content_000658.jsp&mid=WC0b01ac0580961211

Annex: Participant list

European Commission (EC), DG SANTE

AE Ampelas
S Van der Spiegel
D Fehily
R McGeehan
A Torronen

EMA

A Hidalgo-Simon
H Boone
F Pignatti
P Celis
C Voltz-Girolt
R Conocchia
S Domingo Roigé
F Ehmann
H Kerr
P McGettigan
R Mezzasalma
N Mihokovic
A Ritzhaupt
S Ribeiro
C Bouygues