Document **Comments on European Commission Consultation on Variations 24.10.2007**

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Our comments are structured as follows:

1. Introduction

2. Comments on the Public Consultation Paper (dated October 24, 2007)

3. Comments on the draft Legal Proposal Commission regulation …, version October 24, 2007

4. Comments on the draft Detailed Guideline referred to in article 6(1) a: Conditions for classification of variations

1. General Introduction

ECHAMP welcomes this series of consultations of the European Commission to simplify the variation procedures.

It is the aim and the responsibility of our industry to warrant the quality and the safety of the medicinal products we produce. We would nonetheless like to stress that our range of essential remedies is considerably larger compared to other fields of the pharmaceutical industry.

Indeed, due to the strongly individualised character of the therapeutic approaches homeopathy and anthroposophic medicine need a large range of starting materials (in the range of thousands) and of specific medicinal products, the majority of which generate a low to very low turnover.

Moreover, such broad product range produces a greater number of variations at all stages of production and labelling. Since the amount of turnover does not influence the required number of variations per substance, it is extremely important for homeopathic and anthroposophic industry, which mainly consists of SME's, that the regulatory and administrative burden linked to variations should be restricted to a minimum while guaranteeing the quality and the safety of the products. It goes without saying that the fees for the variations should be fair as well.

Therefore a simple, pragmatic, and 'un-bureaucratic' system of variations is needed for homeopathic and anthroposophic industry in Europe. In this perspective we are very pleased with the intention to create a 'Better regulation of pharmaceuticals leading to a simpler, clearer and more flexible framework of variations'. This initiative can surely improve regulation in the field of homeopathic and anthroposophic medicinal products.

As we have done in the previous consultation, we will leave the comments relevant to all pharmaceutical applicants which are not specific for homeopathic medicinal products to the general associations of pharmaceutical industry. Our response to the present consultation intends to draw your attention to those aspects in the proposals that are particularly relevant from the perspective of European homeopathic and anthroposophic industry:

a) Options, where we see specific opportunities for our industry if adequately put into practice
b) Topics where we have a special need for clarification in our category of medicinal products
c) Issues where there is specific need for future regulation from our perspective.

We would like to take you back as well to our response letter to the first consultation (dated 29th of November 2006). For your comfort and understanding, the points addressed in our first letter will be integrated in our present comments in section 4.

2. Comments on the Public Consultation Paper (Dated October 24, 2007)

Re 6. Key Item 4: "Work sharing"

The introduction of the "work sharing" concept could become an extremely useful tool for our member companies in consideration of the following:

Many products for individual therapy have low to very low turnover:
Homeopathy and anthroposophic medicine require a large number of medicinal products in order to support the respective individual therapeutic needs. In this context we draw your attention to the report of the EMEA Workshop on Homeopathic Medicinal Products which took place in London on October 27, 2006. On that occasion several doctors' and patients' associations addressed the need for availability of all the concerned medicinal products.

There are numerous characteristics of identical specifications for wide ranges of products:
Homeopathic medicinal products of identical dosage form, especially if beyond a certain degree of dilution, share a number of characteristics like composition of excipients, final product specification, primary packaging, and etcetera. Hence, a single modification of one of those common characteristics may soon refer to more than 1000 files per applicant in one Member State (MS).

Other frequently identical characteristics of the dossier might be specific for a certain type of starting material, as e. g. the methods for testing impurities in plant materials (one method for testing pesticides could be cited in up to 500 dossiers of one applicant in one MS)

There is therefore a need for a rational and efficient handling of dossiers and any related variation.

Re "Case a)"
We understand "case a)" as the case, where variations relevant to national marketing authorisations in more than one MS can be pre-evaluated by the EMEA. The evaluation could lead to a "downgrading" of the national variation.

Indeed this option is interesting for our category of medicinal products. At the moment, however, there is no technical expertise at the EMEA for homeopathic medicinal products. Up to now the expertise for our products exists in different national authorities and in international working groups of the HMA (HMPWG and CMD(h)).
So, how can "case a)" become a reality for homeopathic medicinal products? Not to mention our concern, that the fee structure of the EMEA will not be feasible for our member companies. We ask for solutions to make "case a)" of the work sharing procedure a reality for homeopathic medicinal products.

Re "Case b)"
This case is extremely interesting to our member companies. In our understanding, though it is not explained in detail in the proposal, it is closely related to the concept of the Master File.

Considering the more than 1000 medicinal products with same specifications authorised in one MS, a single (Master File-related) assessment of a variation of such a specification could considerably contribute to lowering the administrative burden of our member companies and as well of the authorities.
We see a highly interesting opportunity for our industry if systems of Master Files documenting general characteristics of dossiers of one applicant will be introduced and modifications of these characteristics could be changed as one single variation. Due to the relevance of these cases in the field of homeopathic and anthroposophic medicinal products we call on the Commission to propose and implement practical solutions.

This also has implications on the registration process. Actually, since several groups of general dossier characteristics exist there must be the possibility to register products based on a system of general Master Files, e.g. one Master File with general characteristics of a dosage form and one Master File with general methods for impurity testing of plant materials, and etcetera.

For rational and efficient handling, applicants for registrations or marketing authorisations of homeopathic medicinal products should have the possibility to introduce a 2 level documentation in a certain Member State:

- General characteristics/specifications in general Master Files
- Product specific characteristics/specifications and references to the Master Files in the product specific dossier.

Dosage form “Master Files” for homeopathic medicinal products are already used for registration in France.

Re 8.1 Classification of variations

It is announced, that the “finalisation of the guideline requires gathering of all available expertise in the various fields concerned”.

We hereby express, that the ECHAMP member companies have specific needs in relation with the classification of variations which are typical for our class of medicinal products. ECHAMP offers to contribute its expertise in this domain.

3. Comments on the Draft Legal Proposal Commission regulation …, Version October 24, 2007

Re Article 2, Scope

We understand topic 1 and topics 3-5 in the following way:

Topic 1 addresses the type of Marketing Authorisation. That means, all types of authorisations relevant to the field of homeopathic medicinal products will be covered: Registrations according to article 14-15 of DIR 2001/83/EC as well as marketing authorisations of homeopathic medicinal products according to article 16.

Topics 3-5 address the procedures (national, MRP/DcP and central).

Therefore finally all procedures relevant to our medicinal products are concerned: MRP/DcP of registrations according to article 14-15 as well as national authorisations according to 14-15 and 16.

We assume that our interpretation is correct. Should our interpretation be wrong, please introduce the necessary clarification.

4. Comments on the Draft Detailed Guideline Referred to in Article 6(1) a: Conditions for Classification of Variations

Concerning our previous comments sent on November 29, 2006, we trust that the following needs relevant to our field will be solved and regulated by the final guideline:

- Classification of variation of a “potency” of a homeopathic medicinal product linked to different conditions. (N. B. Thereby the homeopathic term “potency” should not be confused with the term “potency” as used in the context of vaccines).

- Definition that the change of suppliers for homeopathic raw materials / origin of raw materials only will be a variation if the quality specifications also vary. We suggest that the proposal of the “design space” will efficiently face the issue of the need to be flexible in suppliers.