bluebirdbio™

31 August 2016

Unit B4 "Medical products – Quality, Safety and Innovation"
SANTE-B4-GL-Ethics-Minors@ec.europa.eu
European Commission
F101 08/058
B-1049 Brussels (Belgium)

**Subject: Public consultation on the revision of "Ethical Considerations for Clinical Trials on Medicinal products conducted with Minors – Recommendations of the expert group on clinical trials for the implementation of Regulation (EU) No 536/2014 on clinical trials on medicinal products for human use"**

To Whom It May Concern:

bluebird bio, Inc. and its wholly owned subsidiary bluebird bio France appreciate the opportunity to provide comments on the above referenced document made available for public consultation by the European Commission on 1 June 2016.

bluebird bio is focuses on the development of gene therapy products for the treatment of rare and life-threatening diseases, including paediatric conditions. We generally welcome the expert group recommendations on ethical considerations to conduct clinical trials with minors in the European Union, as we believe this will be helpful for sponsors. Our suggestions for further improvement are provided below.

## DEFINITIONS

Lines 367-374 refer to the investigator's experience with working with children and ability to discern whether a minor is capable of forming an opinion regarding participating or withdrawing from a study. In addition to relying on investigator's experience, bluebird suggests the inclusion of a definition or criteria that describes minors who are not capable of providing assent.

## THE PROCESS FOR INFORMED CONSENT

Lines 453-455 of page 12 state "no financial incentive should be offered except compensation for expenses and loss of earnings of the parents directly related to the participation in the clinical trial." This language appears to imply that sponsors should offer compensation to parents and this may be an incentive for parents to enroll their children into a study. Reimbursement for loss of earnings can be inconsistent between families and can introduce further bias into participation and challenges with disclosing personal confidential information. However, if compensation is

offered to parents, we suggest providing a standard payment for travel, accommodation, and/or lost wages due to trial participation. A standard payment is the most transparent and equitable way to reimburse subjects and caregivers to ensure that payment is handled in the same way, participation is clearly not coerced, and that coverage incurred from trial participation are legitimate expenses.

**PARTICIPATION OF MINORS IN THE INFORMED CONSENT PROCESS AND AGREEMENT**

Line 606 states that "investigators should be able to recognize signs of resistance in children" when determining whether a child should partake in a clinical trial. This implies that investigators are cognizant of the signs of resistance, which vary child by child. To help with the assessment, we would suggest providing further guidance on the signs of resistance and how investigators are trained to recognize this in the context of the child's disease.

bluebird bio looks forward to finalization of the recommendations. If additional clarification on our comments would be helpful, please do not hesitate to contact us.

Sincerely,

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Vice President, Regulatory Science
bluebird bio, Inc.