Response regarding European Commission Consultation on Review of Commission Regulation (EC) No 1234/2008

1. Introduction

1.1. Who is ECHAMP?

Homeopathic and anthroposophic medicinal products cover a broad portfolio of effective, safe and high quality medicines derived mostly from natural substances.

ECHAMP stands for European Coalition on Homeopathic and Anthroposophic Medicinal Products. ECHAMP is a European Economic Interest Grouping (EEIG) of companies active in the production and distribution of those products. Our members mainly are SMEs and we are registered in the transparency register of the Commission and the Parliament with the user number 48260423804-68.

ECHAMP represents the majority of the manufacturers of Europe's homeopathic and anthroposophic industry with at the moment 51 member companies. Our niche in figures amounted in the year 2010 to 1.009 million Euros in turnover, 8.000 employees and more than 110 million active users throughout the EU Member States (MS).

We endorse the rights of patients and consumers to have easy and comprehensive access to homeopathic and anthroposophic medicinal products which meet the highest standards of quality, safety and effectiveness.

1.2. Where is our specific concern in respect of this consultation?

It is the aim and the obligation of our industry to watch over the quality and the safety of the medicinal products we produce. We would nonetheless like to stress that, in homeopathy and anthroposophic medicine, the 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*. A large number of them have a l*ow to very low turnover*.

Besides having many different starting materials our large number of products naturally brings a large number of variations with it at all stages of production. So, it is extremely important for our industry, 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 pragmatic system of variations is needed for our industry in Europe in order to maintain the amount of products required for the therapeutic approaches over the life cycle.

1.3. In which legal background is the consultation on the review of the variation consultation to be seen?
What are the specific characteristics of dossiers of homeopathic medicinal products relevant to this consultation?

Today, homeopathic medicinal products are marketed in the member states of the EU based on purely national authorisation procedures. They might be based on simplified registrations according to art. 14 of DIR 2001/83/EC or marketing authorisation based on article 16.2 of the Directive. Or the marketing is based on “grandfather rules” in accordance with art. 13 of the Directive.

With respect to homeopathic medicinal products, dossiers show the following further general particularities:

- The quality dossiers show specific characteristics as for example:
    - the active ingredients are relatively simple preparations which are generic and where the manufacturing processes are described in the Ph. Eur. or in officially recognised national pharmacopoeias (refer to article 1.5 of Directive 2001/83/EC).
    - The dosage forms are quite simple and classical dosage forms which are covered by pharmacopoeia monographs.
    - Well known excipients are used.
- The impact of quality changes on safety is low because of the well known character of the substances used in homeopathy which are produced by industry since decades. Sometimes the finished products even are produced in pharmacies.
- Due to the low turnover of the products concerned the amount of batches produced per year is very small.

As indicated above, the order of magnitude of dossiers to be maintained per authorisation holder easily can meet the figure of 500 or 1.000 or more, while the turnover gained per product is low to very low. In addition, 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 etc. Hence, a single modification of one of those common characteristics may soon refer to more than 1.000 files per applicant in one 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).

These specific characteristiscs were already acknowledged in the considerations of Commission Regulation (EC) No 1234/2008 (consideration 2): ….”For reasons of proportionality, homeopathic and traditional herbal medicinal products which have not been granted a marketing authorisation but are subject to a simplified registration procedures should remain excluded from the scope of the Regulation.”

In view of the considerations given above, it is just consequent that registrations are excluded from the scope of this Regulation.

However, marketing authorisations of homeopathic medicinal products are purely national authorisations for legal reasons; they now will be introduced under the scope of the European variation system.
As a matter of principle, the dossier characteristics mentioned above, especially with respect to the content of the quality dossier as well as with respect to safety issues, apply to dossiers of homeopathic marketing authorisations as well as to those of registrations.

Therefore, appropriate rules for handling the variations of these purely national marketing authorisations are necessary for reasons of proportionality.

2. Comments

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. By our reaction on the present consultation we intend to direct your attention to different aspects, which are particularly relevant from the perspective of European homeopathic and anthroposophic industry.

2.1. Comments beyond the consultation topics

For reasons of proportionality, we call the European Commission to establish proportional rules for purely nationally authorised homeopathic medicinal products:

a) **To establish a new section (for example section 3) "Special Purely National Medicinal Product Categories" in Chapter IV of the Regulation. Within this section, an article shall rule the specific needs of purely national marketing authorisations of homeopathic medicinal product.**

"Homeopathic medicinal products
Notification procedure for minor variations of type IA"

➔ *In this paragraph, an extended period of reporting of minor variations of type IA should be defined. The period of time should be 5 years.*

Reasons:
As described under 1.3, the dossiers are less dense, comparatively simple, using generic well-known active substances and excipients as well as traditional dosage forms. Particular for this niche pharmaceutical business is the big amount of products with low to very low turnover (see 1.2): *About **10 %** of the medicinal products are produced based on **2-3 batches per year, 90 %** are produced in **1 batch or less per year**.* So, the analysis of trends respectively the validation of products optimisation

(also in the field of minor 1A variations) need a representative amount of batches: 3 batches would be the minimum, 10 batches would be optimal. That limits the amount of minor 1A variations to be reported per finished product within 12 months compared to conventional medicines. Frequency of changes will be smaller. An adaptation of the report period would be proportional and pragmatic.

b) In Annex III of the Regulation the list of cases for grouping variations should be extended by a case:

"Homeopathic medicinal products: One or more quality related minor variations of type IB."

Reasons:
We strongly support the grouping item as a pragmatic maintenance tool and an appropriate and practical approach for homeopathic medicinal products. However, we think that the existing possibilities for grouping of variations have to be amended and adapted to the particularities of homeopathic medicinal products.

As described under 1.3, the homeopathic quality dossiers are less dense, comparatively simple, using generic well-known active substances and excipients as well as classical dosage forms, all to be found described in official pharmacopoeias. The big amount of products with low to very low turnover (see 1.2) is particular for this niche of the pharmaceutical business while the quality variations use to be simple. Therefore a grouping of minor variations of type IB would be far from complex.

In homeopathy, even variations with comparatively low risk for public health (e. g. the methods for testing pesticides) could be cited in up to more than 500 dossiers (amount of different homeopathic stocks) of one applicant in one MS. The administrative costs, the bureaucratic work load for applicant and agencies as well as the fees should stay pragmatic and proportional.

c) In the Annex of the Communication from the Commission - Guideline on the details of the various categories of variations to the terms of marketing authorisations for medicinal products for human use and veterinary medicinal products 82010/C17/01) a new section B. V.d) "Purely national homeopathic medicinal products" should be added:

B. V.d.1 Update of the quality dossier of a purely national homeopathic medicinal product	Conditions to be fulfilled	Documentation to be supplied	Procedure Type
The update of the quality dossier			**II**

Reasons

Because of the national competence, renewal and dossier update procedures frequently still are to be done. Often, these procedures include a complete revision of the quality dossier including transfer to the CTD formate for the following reasons (1) The CTD formate for homeopathic medicinal product was introduced later than for conventional medicinal products, and this revision still remains to be done. (2) Since some years, since the harmonisation efforts of HMPWG become visible in the EU, the dossier requirements are increasing. This frequently may imply a need to completely revise the quality dossier.

On the other hand, as described under 1.3, the quality dossiers are less dense, comparatively simple, using generic well-known active substances and excipients as well as classical dosage forms, all of them described in official pharmacopoeias.

The big amount of medicinal products with low to very low turnover (see 1.2) is particular for this niche of the pharmaceutical business while the quality variations use to be simple. Therefore a revision of the quality dossier would be far from complex and comparable to the extent of a revision of the quality dossier in the frame of a referral procedure (case B.V.b.1.b).

d) In the Annex of the Communication from the Commission - Guideline on the details of the various categories of variations to the terms of marketing authorisations for medicinal products for human use and veterinary medicinal products 82010/C17/01) a new section A.3 should be amended as follows:

A.3 Change in the name of the actives substance	**Conditions to be fulfilled**	**Documentation to be supplied**	**Procedure Type**
a) **non** homeopathic medicinal product	**1,2**	**1,2**	**IA_{IN}**
b) **homeopathic medicinal product**	**1,2**	**1,2**	**IA**

Reason

The scientific names of the many starting materials used for homeopathic medicinal products, which mainly are of botanical origin, use to change rather frequently. With respect to the information of consumers this is of less important relevance. In order to keep the proportionality principle, it should be possible to consider the adaptation of the names in the frame of the periodic reporting.

2.2. Comments regarding the consultation topics

Consultation item 2

We support proposal “b) No additional restriction to include worksharing as long as it refers to a part of the dossier that is considered not to need harmonisation”.

Reason:
As a matter of principle it is important to be able to use all tools with the opportunity to save resources in agencies and industry.

In addition, we would like to state:
Today we have the impression that the current worksharing procedure is complicated and still too bureaucratic in view of the amount of files and of comparably “simple” variations in the every day work of maintenance in our highly generic pharmaceutical field. The consequence may be that in the end that applicants will decide to continue to work purely nationally. That will mean that a big potential for saving administrative resources will not be used because of inadequacy of procedures.

In order to develop a further vision we see potential in further simplifying the co-ordination effort between the Member States.