Draft Guidance for Industry:

Formal Meetings Between FDA and ANDA Applicants of Complex Products Under GDUFA

Guidance Purpose and Goals

- Describes an enhanced pathway for discussions between FDA and a prospective applicant preparing to submit and an applicant that has submitted an abbreviated new drug application (ANDA) for a complex product
- Provides information on requesting and conducting:
  - Product development meetings
  - Pre-submission meetings
  - Mid-review-cycle meetings

Pre-ANDA Program under GDUFA

- FDA committed to develop a program designed to assist prospective ANDA applicants of complex products before ANDA submission
- The pre-ANDA program is intended to:
  - Clarify regulatory expectations early in product development;
  - Assist applicants to develop more complete submissions;
  - Promote a more efficient and effective ANDA review process; and
  - Reduce the number of review cycles required to obtain ANDA approval, particularly for complex products

Complex Products under GDUFA

- Complex Products are defined in the GDUFA II Commitment Letter as

1. Products with:
   - Complex active ingredients (peptides, polymeric compounds, complex mixtures of active pharmaceutical ingredients, naturally sourced ingredients);
   - Complex formulations (e.g., liposomes, colloids);
   - Complex routes of delivery (e.g., locally acting drugs such as dermatological products and complex ophthalmological products and otic dosage forms that are formulated as suspensions, emulsions or gels); or
   - Complex dosage forms (e.g., transdermal, metered dose inhalers, extended-release injectables)

Complex Products under GDUFA

- Complex Products are defined in the GDUFA II Commitment Letter as (cont'd)
  2. Complex drug-device combination products (e.g., auto-injectors, metered dose inhalers)
  3. Other products where complexity or uncertainty concerning the approval pathway or possible alternative approach would benefit from early scientific engagement

Meeting Types

- Product development meeting
  - Provides for discussion of specific scientific issues or questions, in which FDA will provide targeted advice regarding the development program
  - Prospective ANDA applicant should have enough knowledge of the complex drug product to allow FDA to provide feedback that will advance development
  - Some prospective ANDA applicants may request more than one product development meeting

Meeting Types

- Product development meeting (cont'd)
  - *Will* be granted if:
    - The meeting concerns (1) development of a complex product for which FDA has not issued a product-specific guidance or (2) an alternative equivalence evaluation;
    - The request contains a complete meeting package
    - A controlled correspondence would not adequately address the prospective ANDA applicant's questions; and
    - The meeting would significantly improve ANDA review efficiency

Meeting Types

- Product development meeting (cont'd)
  - *May* be granted if:
    - The meeting concerns (1) development of a complex product for which FDA has developed a product-specific guidance; (2) or the prospective ANDA applicant is not proposing an alternative equivalence evaluation
    - The request contains a complete meeting package
    - A controlled correspondence would not adequately address the prospective ANDA applicant's questions; and
    - The meeting would significantly improve ANDA review efficiency
    - Available resources permit the meeting

Meeting Types

- Pre-submission meeting
  - Provides an opportunity to discuss the format and content of the ANDA to be submitted
  - Allows FDA to identify items or information that should be clarified prior to submission of the ANDA
  - Takes place approximately 6 months prior to submission of the ANDA

Meeting Types

- Pre-submission meeting (cont'd)
  - Available to prospective ANDA applicants of complex products that did or did not have a product development meeting
  - FDA *will* generally grant a pre-submission meeting for prospective ANDA applicants that have had a product development meeting or received a written response
  - FDA *may* grant a pre-submission meeting to a prospective ANDA applicant of a complex product that did not have a product development meeting if, in FDA's judgment, the pre-submission meeting will improve review efficiency

Meeting Types

- Mid-review-cycle meeting
  - Held only during the first review cycle with ANDA applicants that have participated in a product development and/or pre-submission meeting
  - Provides an opportunity to discuss issues identified during review
  - Scheduled by the regulatory project manager (RPM); applicant does not need to submit a request
  - Is optional

Meeting Types

- Mid-review-cycle meeting (cont'd)
  - FDA provides the applicant with an update on the status of the review of its application
  - The agenda will generally consist of possible deficiencies found by a discipline reviewer and/or review team at the conclusion of the discipline review

GDUFA II Performance Goals

- FDA will grant/deny 90% of requests within –

Meeting type	2018	2019	2020	2021	2022
Product development	30 days of receipt	30 days of receipt	14 days of receipt	14 days of receipt	14 days of receipt
Pre-submission	30 days of receipt	30 days of receipt	14 days of receipt	14 days of receipt	14 days of receipt
Mid-review cycle	N/A	N/A	N/A	N/A	N/A

GDUFA II Performance Goals

- FDA will conduct meetings within 120 days of the date granted–

Meeting type	2018	2019	2020	2021	2022
Product development	60%	70%	80%	90%	90%
Pre-submission	60%	70%	80%	90%	90%
Mid-review cycle	N/A	N/A	N/A	N/A	N/A

Meeting Requests

- Product development meeting or pre-submission meeting requests should be sent to GenericDrugs@fda.hhs.gov
- Request should clearly identify that the prospective applicant is requesting a product development or pre-submission meeting for a complex product
- Requests should include adequate information for FDA to assess the utility of the meeting and to identify the appropriate staff to attend

Meeting Requests

- If the meeting request does not contain the information specified in section V of the guidance, the request will not be considered to be submitted for purposes of GDUFA II goals
- A request for a pre-submission meeting should indicate whether the requestor had a product development meeting with FDA
  - If no product development meeting was held, the requestor should explain why a pre-submission meeting should be granted

Assessing Meeting Requests

- Meeting Denied
  - Written notification to the requester will include an explanation for the denial
  - Denials will be based on a substantive reason, not merely on the absence of a minor element of the meeting request or meeting package items
  - A subsequent request to schedule the product development or pre-submission meeting will be considered a new request

Assessing Meeting Requests

- Meeting Granted
  - FDA will notify the requester by email
  - If FDA plans to provide a written response instead, FDA will advise the requestor that a written response is forthcoming
  - If FDA plans to hold a meeting, FDA will schedule the meeting by determining the date, time, length, place, and expected FDA participants

Rescheduled Meetings

- If a meeting needs to be rescheduled, FDA will reschedule it as soon as possible after the original date
- A meeting may be rescheduled if, for example:
  - Additional information is needed to address the prospective ANDA applicant's questions;
  - Essential attendees are no longer available;
  - Attendance by additional FDA offices not originally anticipated/requested are critical and their availability precludes holding the meeting on the original date
  - A regulatory policy issue that is yet to be resolved that may affect the response; or
  - The federal government is closed or opening is delayed due to inclement weather, emergency, or other reason

Rescheduled Meetings

- Performance goals for rescheduled meetings
  - If a prospective ANDA applicant requests that a meeting be rescheduled, FDA will aspire to reschedule within the goal date
  - If FDA is unable to reschedule the meeting within the original goal date, FDA will consider the performance goal met if the meeting is held within a 30 day extension added on to the original goal date

Canceled Meetings

- If a meeting is canceled, a subsequent request to schedule a meeting will be considered a new request
- A meeting may be canceled if, for example:
  - The prospective ANDA applicant withdraws the meeting request;
  - The prospective ANDA applicant determines its questions have been adequately answered by the preliminary response; or
  - FDA issues product-specific guidance on establishing bioequivalence to the RLD that is the basis of submission for the prospective ANDA applicant

Canceled Meetings

- Performance goals for canceled meetings
  - If a prospective ANDA applicant cancels a product development or pre-submission meeting, FDA will count the performance goal as met
  - If FDA cancels the meeting, the meeting request will not be counted for performance goal purposes

Meeting Packages

- Timing and submission
  - The meeting package should be submitted with the meeting request
  - Product development meeting and pre-submission meeting packages should be sent electronically to GenericDrugs@fda.hhs.gov with the meeting request.
    - It is not necessary to submit any paper copies of the meeting package

Meeting Package

- Content
  - Provides information relevant to the product, development stage, and meeting type requested, in addition to any supplementary information needed to develop responses to issues raised
  - Contains sufficient detail to meet the intended meeting objectives
- See section VIII.C. of the guidance

Preliminary Response

- Preliminary responses:
  - If appropriate for a product development meeting (i.e., FDA is not providing a written response), FDA intends to provide preliminary written comments to the prospective ANDA applicant 5 calendar days before the meeting
  - If appropriate for a pre-submission meeting, FDA intends to provide preliminary written comments to the prospective ANDA applicant 5 calendar days before the meeting
- Preliminary responses should not be construed as final unless the prospective ANDA applicant and FDA agree that additional discussion is not necessary

Meeting Conduct

- Product development and pre-submission meetings will be chaired by FDA staff, generally the ORS director or designee
- The RPM assigned to the ANDA will chair the mid-review-cycle meeting
- Before the end of the meeting, FDA attendees and prospective ANDA applicant or ANDA applicant attendees should summarize the important discussion points, agreements, clarifications, and action items

Meeting Minutes

- FDA minutes are the official record of the meeting
- FDA will issue the minutes to the prospective ANDA applicant within 30 days of the product development or pre-submission meeting
- FDA intends to issue minutes to the ANDA applicant within 30 days of the mid-review-cycle meeting

Meeting Minutes

- A prospective ANDA applicant or ANDA applicant seeking clarification of the meeting minutes should contact the FDA point of contact
- If significant differences in understanding of the content of the meeting minutes remain, the prospective ANDA applicant or ANDA applicant should notify FDA in writing
- The concerns will be taken under consideration by the review division and the office director (if present at the meeting)
  - If the minutes are deemed to accurately and sufficiently reflect the meeting discussion, the minutes will stand
  - If FDA deems it necessary to effect a change to the minutes, the changes will be documented in an addendum to the official minutes

Please contact CDERSBIA@fda.hhs.gov with any questions. Thank you.