May 22, 2023

UPS EXPRESS MAIL & EMAIL

Michael C. Crowley, Chairman and Chief Executive Officer
AT Venture Center for Global Techtrepreneurship, LLC
dba Regenerelle, LLC
78 Schuyler Baldwin Drive
Fairport, NY 14450
michaelcrowley@atventurecenter.com

Dear Mr. Crowley:

The Office of Compliance and Biologics Quality in the Center for Biologics Evaluation and Research (CBER) of the Unites States Food and Drug Administration (FDA) has reviewed your firm's websites available at www.regenerellestemcells.com/ and www.atventurecenter.com/, your YouTube channel available at www.youtube.com/watch?v=SUeu0dcl7Yw, and other relevant information available to FDA.

You market a human mesenchymal stem cell product (hereinafter, your product) derived from umbilical cord, which you refer to as "biological solutions" or "biologic products". Your product is readily available for sale on your website, www.regenerellestemcells.com/, and is intended for a "range of clinical applications" and to treat various diseases or conditions, such as lupus, pain, inflammation, and "aging-associated diseases."

Your firm's websites state:

- Regenerelle is a "Life sciences company developing biological solutions for…aging-associated diseases through the use of Human Mesenchymal Stem Cells (MSC)." [www.atventurecenter.com/; see also www.regenerellestemcells.com/sibling-companies]

- Our clinical strengths are in addressing conditions related to…bones and aging. Our technology and manufacturing strengths are in…biologic products derived from Wharton's jelly and Mesenchymal Stromal Cells." [www.atventurecenter.com/projects]

- "Regenerelle…developed an extensive product pipeline across a range of clinical applications …Regenerelle portfolio of products includes WJ-MSCs." [www.regenerellestemcells.com/about-us]

Additionally, your YouTube channel, www.youtube.com/watch?v=SUeu0dcl7Yw, includes a video entitled, "Sanatela and Regenerelle Ribbon Cutting – Full Ceremony" in which you stated: "I have a personal reason for wanting to do this [use stem cells derived from Wharton's jelly]…lupus is one of the autoimmune diseases…I took our own stem cells myself. I had them injected, infused…I now have no pain…the meniscus in my left knee has started to rebuild. All of the inflammation is gone, and I have a new life…I'm not just a chairman, I'm a user."

Your above-referenced cellular product derived from umbilical cord appears to be a human cell, tissue, or cellular or tissue-based product (HCT/P) as defined in 21 CFR 1271.3(d) that would be subject to regulation under 21 CFR Part 1271, issued under the authority of section 361 of the Public Health Service Act (PHS Act) [42 U.S.C. 264].

HCT/Ps that do not meet all the criteria in 21 CFR 1271.10(a), and when no exception in 21 CFR 1271.15 applies, are not regulated solely under section 361 of the PHS Act [42 U.S.C. 264] and the regulations in 21 CFR Part 1271. Such products are regulated as drugs, devices, and/or biological products under the Federal Food, Drug, and Cosmetic Act (FD&C Act) and/or the PHS Act, and are subject to additional regulation, including appropriate premarket review.

Based on the review of the materials described above, it appears that your firm does not qualify for any exception in 21 CFR 1271.15, and that the above-referenced product is intended for non-homologous uses. Additionally, it appears this product fails to meet other criteria in 21 CFR 1271.10(a). Accordingly, it appears that the product would be regulated as a drug as defined in section 201(g) of the FD&C Act [21 U.S.C. 321(g)] and biological product as defined in section 351(i) of the PHS Act [42 U.S.C. 262(i)].

In order to lawfully market a drug that is also a biological product, a valid biologics license must be in effect [42 U.S.C. 262(a)]. Such licenses are issued only after a demonstration that the product is safe, pure, and potent. While in the development stage, such products may be distributed for clinical use in humans only if the sponsor has an investigational new drug application (IND) in effect as specified by FDA regulations [21 U.S.C. 355(i); 42 U.S.C. 262(a)(3); 21 CFR Part 312].

We direct your attention to FDA's comprehensive regenerative medicine policy framework for HCT/Ps, which is intended to spur innovation and efficient access to safe and effective regenerative medicine products. The policy framework is outlined in a suite of four guidance documents available on FDA's website at www.fda.gov/vaccines-blood-biologics/cellular-gene-therapy-products/framework-regulation-regenerative-medicine-products.

Manufacturers and health care professionals who have any uncertainty regarding the regulatory status of their products are encouraged to contact FDA to obtain a recommendation or decision regarding the classification of an HCT/P. For more information in this regard, or to obtain further information about IND requirements for

biological products, please see pages 24 and 25 of the guidance entitled, “Regulatory Considerations for Human Cells, Tissues, and Cellular and Tissue-Based Products: Minimal Manipulation and Homologous Use” at the link to FDA’s webpage provided above.

We also note that you market exosomes, which you refer to as “Extracellular Vesicles (EVs)” for “aging-associated diseases” and a “range of clinical applications” on your websites, www.atventurecenter.com/ and www.regenerellestemcells.com/about-us. Please be advised that, as a general matter, exosome products intended to treat diseases or conditions in humans are also regulated as drugs as defined in section 201(g) of the FD&C Act [21 U.S.C. 321(g)] and biological products as defined in section 351(i) of the PHS Act [42 U.S.C. 262(i)] and are subject to premarket review and approval requirements described above. For more information, please see FDA’s Public Safety Notification on Exosome Products, at www.fda.gov/vaccines-blood-biologics/safety-availability-biologics/public-safety-notification-exosome-products.

This letter addresses certain issues regarding the above-referenced products and is not intended to be an all-inclusive review. You and your firm are responsible for ensuring that all your products fully comply with the FD&C Act, PHS Act, and all applicable regulations. We request a written response within 30 days of your receipt of this letter. If you do not believe there is a basis for the regulatory issues raised in this letter, include your reasoning and any supporting information for our consideration.

Your response should be sent to the following address: U.S. Food and Drug Administration, Center for Biologics Evaluation and Research, 10903 New Hampshire Avenue, Bldg. 71, Silver Spring, MD 20993. In addition, you can email a copy of your response to: CBERDCMRecommendations@fda.hhs.gov. If you have any questions regarding this letter, please contact the Division of Case Management, CBER at (240) 402-9156. Please be advised that only written communications are considered official.

Sincerely,

Melissa J. Mendoza
Director
Office of Compliance and Biologics Quality
Center for Biologics Evaluation and Research

Cc: Erin Crowley, Co-Managing Member and Quality Compliance Director
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