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pharmaceuticals

Elan Pharmaceuticals

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June 8, 2001

Dockets Management Branch (HFA-305)
Food and-Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20857

Dear Ms. Chen,

Elan Pharmaceuticals is a worldwide, fully integrated pharmaceutical company, and, as such, is subject to FDA regulations and guidances. We therefore respectfully submit the following comments on the March 2001 draft guidance document titled "Guidance for Industry – Postmarketing Safety Reporting for Human and Biological Products Including Vaccines".

In section IV, A, 1 line 217, where study adverse experiences are discussed, we suggest that when disagreement between the investigator and the applicant regarding the causality of the event occurs, the more conservative assessment should prevail.

In section IV, A, 3 line 246, further clarification is required to understand the FDA's intent in the wording 'may jeopardize' and 'may require medical or surgical intervention'. Our reading-of-these, phrases implies that also those events that may, but did not jeopardize the patient, and those that may, but did not require medical or surgical intervention, can be considered important medical -&vents. Both of these types of events, even if they did not result in one of the other outcomes listed in the definition of serious (i.e. those outcomes were prevented), can be considered important medical events. Is this indeed the intent of this wording?

In section IV, B, line 317, the direct verbal contact applies only to follow-ups on serious adverse experiences,.according to guidance in Section V,C, 1 "Content of Follow-up Reports", lines 639-641. Additional follow-up is not necessary for non-serious experiences for which the four basic elements are known. Please amend section IV, B, lines 316-318 to further specify that the direct verbal contact with a reporter applies only to serious adverse experiences.

In section V, A, 1, line 380, clarification is needed in the definition of 'delay' in obtaining all the applicable. elements on FDA Form 3500A. If an expedited case is filed with the four basic elements only, and the follow-up is unsuccessful, is it then, after the delay, required to submit a follow-up report outlining the chronology of the unsuccessful attempts? Or, is it sufficient to retain documentation of all attempts in gathering follow-up information in the case file?

In section V, A, 1, line 392, please further define that the-foreign affiliate referred to is a unit over which-the parent company has administrative control (e.g. a foreign, independent distributor is not an affiliate).

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In section VI, B, line 779, please comment on if reports of suspected adverse experiences obtained from company sponsored patient support programs and disease management programs are handled as study reports, do they also require assessment of causality or are they all considered related by default? Who is to perform the assessment of their relatedness?

In section VI, B, line 783, 'unexpected adverse experiences' should be changed to 'unexpected adverse reactions' since not all of the unexpected adverse experiences originating from a study are drug related. Only those that are drug related must be reported as 15-day reports. Adverse experiences reported from a study that are not drug related should not be submitted as 15-day reports.

In section Vi, 'P, line 955, please comment on whether the cases received by the applicant via the MedWatch-to-Manufacturer Program require inclusion in the periodic . reports.

In section X, X, line 1292 would better read if 'an applicant' was changed to 'the applicant?

In section XI, C, line 1375, please consider the following comments supporting a combination waiver. One of the major argument? in favor of the PSUR concept is the uniformity and synchronization of postmarketing periodic reports across all member states. A submission of periodicreports in the United States using the PSUR format, but not the PSUR submission timing, does not provide the applicant with any work-saving incentive. In fact, it may require additional expenditures in manpower since the PSUR format is more comprehensive than that for the regular US periodic report. Therefore, the request for a'waiver of the requirement to submit postmarketing periodic safety, repdtts using the PSUR format (discussed,in section XI, B, lines1330-1364) and the request for a waiver to submit PSURs to the FDA at a frequency other than those required (section XI, C, lines '1'366-1377) should be combined in one application. The combined waiver should allow the applicant to submit periodic reports in the United States using the PSUR format, under PSUR timing requirements; and with the reference to the international birth date of fhe product.

Thank you for your consideration of our comments and suggestions.

Sincerely,

Gina A. Hill
Manager II, Global Safety Surveillance
Elan Pharmaceuticals

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Elan Pharmaceuticals
a member of the Elan Group

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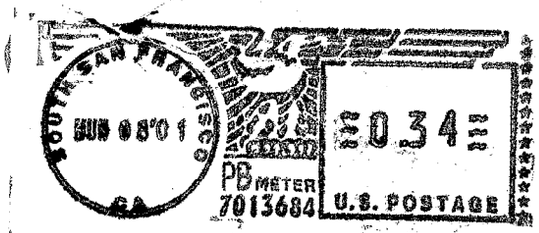

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