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May 8, 2001

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Re: 21CFR part 1271, Docket number: 97N-484P

Dear Comments Administrator:

I am writing of behalf of the World Marrow Donor Association (WMDA). The WMDA is an international organization that seeks to harmonize the field of unrelated donor hematopoietic stem cell transplantation. Fifty registries from around the world comprise our membership, including the National Marrow Donor Program (NMDP) and the Caitlin Raymond International Registry in the US.

The WMDA is very interested in the US Food and Drug Administration's efforts concerning regulation of human cellular and tissue based products. Regarding the most recent proposed rule, "Current Good Tissue Practice for Manufacturers of Human Cellular and Tissue-Based Products; Inspection and Enforcement; Proposed Rule," the WMDA has three comments.

The area of greatest concern is Imports (Proposed §1271.420). FDA proposes, "A human cellular or tissue-based product offered import shall be held intact...until it is released by FDA." Fresh human peripheral blood stem/progenitor cells (PBS/PC) and frozen human umbilical cord blood both represent time-critical products. Neither of these can be held for more than a few hours without risking serious loss of function. In particular, as most recipients receiving PBS/PC therapy have already received preparative chemotherapy and radiation, a serious delay or loss of such product constitutes a life-threatening situation. The international communities are sufficiently organized that clearly unsuitable products (e.g., confirmed HIV-positive) will not be offered for import. However, it seems

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inevitable that a product conforming to all product specifications will arrive at the port of entry and fail the requirements of Part 1271 (e.g., with a labeling error). It is essential that delays at the port of entry do not jeopardize product viability or endanger recipients. The WMDA recommends that hematopoietic stem cell products be exempted from quarantine at the port of entry.

A second area of WMDA comment concerns proposed §1271.150b. That section concerns assignment of overall responsibility for insuring that a product is manufactured in compliance with all applicable FDA regulations. The proposed rule states that overall responsibility rests with, "The establishment that determines that a product meets release criteria and makes the product available for distribution..." The WMDA interprets this to indicate that non-US establishments may bear overall responsibility for compliance with Part 1271. This would impose an excessive burden on these international establishments. The WMDA recommends that overall responsibility for compliance be assigned only to establishments within the US.

Finally, international establishments that produce peripheral blood stem/progenitor cell and umbilical cord blood unit products are subject to their own national and regional regulatory requirements. The WMDA assumes that international establishments would submit their governmental regulations under §1271.155 (Exemptions and Alternatives). If this assumption is not correct, the WMDA proposes that this will be clarified.

The WMDA appreciates the opportunity to comment on the FDA's proposed rule. We will continue to depend upon our US membership for information and advice concerning the activities of the FDA. Please fell free to contact me as detailed below.

Sincerely yours,

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