

<b>Volume III</b> <b>Other Laboratory Operations</b> Section 3 – Recording of Results – Analyst Worksheet	<b>ORA LABORATORY MANUAL</b>  FDA Office of Regulatory Affairs Division of Field Science	DOCUMENT NO.: III-03 VERSION NO.: 1.4 FINAL EFFECTIVE DATE: 03-25-04 Revised Date: 11/16/06
<b>Section 3</b>	<b>RECORDING of RESULTS ANALYST WORKSHEET</b>	<b>Section 3</b>

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## 3.1 Introduction

ORA Laboratory Manual Volume II, Section 2, ORA.LAB 5.10, defines the national procedures for reporting laboratory data. This document provides additional instructions for the preparation of analytical packages, including block-by-block directions for completing an Analyst Worksheet (FD-431 and FD-431a), and any associated documentation. It also describes laboratory protocols for recording observations and analytical findings in the FACTS system, and the use of notebooks.

## 3.2 Recording Analytical Information, Observations and Findings

### 3.2.1 General

The laboratory analyst records all descriptive information pertaining to the sample, its handling in the laboratory, and analytical findings and observations on worksheets (e.g. FD-431, FD-431a). General directions and considerations for completing these forms include the following:

- a. Worksheets are started with the receipt of the sample by the analyst. **Blocks 1 through 9**, and description of the container, labeling, codes, and product in **Block 10** (FD-431), can be completed at this time.
- b. All raw data and observations are recorded directly on the worksheets or entered into a computerized worksheet (see **3.2.2.2**) as it is acquired. When handwriting worksheets, the writing will be in permanent black ink, and must be legible, neat, and of an adequate size so that it can be easily read and photocopied.
- c. Do not write in the left margin on the front of the worksheet page and the right margin on the back. Any information placed in these areas can be obscured or lost when the worksheets are assembled.
- d. Do not erase, overwrite, or use correction fluid or tape to correct errors. For all errors, draw a single line through an incorrect entry, write the correct entry nearby, date and initial. The correction should be written clearly, not obscuring any other data, and in a manner that would cause the data to be misinterpreted. Also, annotate the reason for the change, if it is not obvious.
- e. Use only common abbreviations. The United States Pharmacopeia, *General Notices*, and the Official Methods of Analysis of AOAC INTERNATIONAL, *Definition of Terms and Explanatory Notes*, contain recognized scientific

abbreviations. Clearly, explain any abbreviations that are unusual or would not reasonably be expected to be known by anyone reviewing the worksheet (e.g. define them the first time they are used).

- f. All measurements are made using metric terms (e.g. cm, gm). When applicable for comparison to label declarations, or the accepted convention for reporting the value, the final results can be converted to the English system (e.g. oz, lb).
- g. A new FD-431 is started whenever a check or additional analysis is performed. Flag this new worksheet per **3.3.2** of this document. These worksheets are completed following the instructions in part **3.3.2** with the following exceptions:
  - **Blocks 8 and 9** need not be repeated, and can be left blank, or have the statement “see original analysis”.
  - Under **Block 10** for all items that remain the same, such as the description of the container, labeling, codes, and product, enter the statement “see original analysis”.

## 3.2.2 Analyst Worksheets

A variety of supplemental worksheets and related forms have been developed to support internal laboratory sample data recording and handling.

### 3.2.2.1 Basic Worksheets

The analyst worksheet (FD-431) with its general continuation sheet (FD-431a) comprise the basic worksheets. Part **3.3.2** provides step-by-step instructions for preparing these worksheets. Computer templates of the FD-431 and FD-431a preserve the general format of the printed forms. Local management reviews and approves such templates before use. Once worksheets are signed, the document becomes the final analytical package.

### 3.2.2.2 Specialized Worksheets and Continuation Sheets

See ORA Laboratory Manual Volume IV for worksheets related to program samples.

### 3.2.2.3 Electronically Entered Raw Data

Analysts may use various computer or electronic worksheets in lieu of the printed forms or computerized templates for entry of raw data and observations following the usual procedures for preparing the basic worksheets. *All data and observations are recorded directly on these templates, either electronically or in writing on a hard-copy printed form.* When data and observations are recorded electronically, laboratories take additional measures to protect its integrity. This may include the following:

- a. The entering analyst should carefully review all such entries before closing an entry session (e.g. saving and closing the file containing the entries).
- b. Once raw data is entered electronically and the file closed, changes to effect corrections to entries are now traceable (e.g. by initialed-and-dated strikeouts and additions).
- c. The files containing raw data entries are identified in order to link them to the sample. The files are protected (e.g. locked cells, password) from inadvertent change or loss until the worksheet is printed to hard-copy in final form and signed.
- d. Once printed and signed, the hard-copy document becomes the official worksheet. If corrections are necessary, they are made in accordance with **3.2.1 c.** and not replaced by printing a corrected file.

### **3.2.3 Instrument-Generated Reports and Charts**

When instrument-generated reports are included in an analytical package, the report should provide all information needed to interpret its graphic, tabular or computational output, including: absorbencies, peak areas, retention times, wavelength maxima. This should appear on each sheet of a report.

If the instrument report does not provide this information, the analyst enters it, initials and dates the entries. He or she may use prepared stamps, when available, for recording this information. The analytical package has available spectra or chromatograms that show the peak shapes, baseline noise, and other characteristics used in the generation of results.

In situations where an instrument produces a large number of spectra (e.g. GC/MS and FTIR/MS) and it is not practical to annotate them all, then only annotate those used to form analytical conclusions.

### **3.2.4 Photographs, X-Rays, Videotapes, and Compact Disks (CDs)**

The analytical package may include photographs, x-rays, videotapes, and compact disks to illustrate labeling, to assist in describing the product, or to show an analytical finding. Because the size of an object may not be evident from the photograph or photocopy, it is important to include a ruler along with the object in the picture. When providing a photocopy with an enlargement or reduction, indicate the percent enlargement or reduction on the photocopy or mounting sheet. Photographs, x-rays, videotapes, and compact disks should include sample identification, date, and initials, where applicable.

### **3.2.5 Field Accomplishments and Compliance Tracking System (FACTS)**

Laboratory analysts enter analytical findings and observations following the analysis, and supervisors will enter their conclusions and sample classification codes following reviews in accordance with the FACTS Manual and ORA Laboratory Manual Volume V, Section 1. Laboratory personnel will make every effort possible to ensure that they accurately enter the sample information, analytical findings, and conclusions entered into FACTS are accurate, and that errors are corrected as quickly as possible.

### **3.2.6 Notebooks**

Analysts electing to do so, may keep bound notebooks to record *non-sample* specific data and observations. *Sample-specific data and observations are recorded on the worksheets. The notebook is not to contain data, observations, and results applicable to identified samples.* Keep in mind that sample background and other supporting information that may be contained in a notebook can be used as evidence in litigation.

#### **3.2.6.1 Typical Uses of Notebooks**

When an analyst elects to keep a notebook, it is bound and the pages are hand-numbered or preprinted with numbers. Examples of the data that may be recorded in a notebook include the following:

- calibration of weights, glassware and equipment;
- preparation and standardization of solutions and reagents;

#### **3.2.6.2 Maintaining the Notebook**

General instructions for entering data are discussed in part **3.2.1 d**.

## **3.3 Completing Worksheet and Continuation Sheet**

### **3.3.1 General Information**

An analyst prepares an analytical package (on FD-431 and FD-431a) or other approved worksheets whenever he or she receives a sample from the sample custodian, transfers an entire sample to a second analyst, or breaks an official seal attached to an analytical package.

### **3.3.2 Worksheet, FD-431**

Complete the FD-431 as follows: (Supplemental to ORA Laboratory Manual, Volume II, Section 2, ORA-LAB 5.10 Reporting Laboratory Data)

Flags: Supply a “flag” in the top left margin of the worksheet for samples fitting the categories listed below in order to highlight the nature and significance of the sample for reviewers. This practice emphasizes that there are other related reports or that there is a reporting need. This is an “optional” designation. Laboratories are to follow their local procedures for Flags.

- Check and Additional Analysis Samples;
- Compliance and Surveillance Samples;
- Complaint Samples;
- Follow-up to Consumer Complaints, often denoted "F/U to CC";
- Dealer Holding Samples;
- Split Samples; and
- NDA and ANDA Samples.

**Block 1. Product:** Specify the common or usual name of the product received for examination. When a label accompanies the product, the name entered is consistent with the name used on the product label. The name should also be consistent with information reported on the Collection Report. If the product is a drug, include dosage form and strength. If the drug is a USP product, note this as part of the description.

**Block 2. Sample Number:** Enter the FACTS-assigned sample number.

**Block 3. Sample Seals:** Check one of the three blocks to show the seal condition upon receipt of the sample. Check “Intact” or “Broken” if the sample is sealed; or “None” if the sample is not sealed.

**Block 4. Date Received:** Enter the date the analyst received the sample from the laboratory’s Sample Custodian (or other analyst).


**Block 5. Received From:** Enter the full name of person (first & last) from whom the sample was received, or the location if the sample was obtained directly from storage.

**Block 6. District Or Laboratory:** Enter the common abbreviation for the laboratory (e.g. PRL-SW, DEN-DO).

**Block 7. Description Of Sample:** Enter a complete description of the sample received. Quote of the seal inscription (see the next paragraph.) and note condition of the seal if damaged or broken. Quote the collector’s identification on the sample, including sub-samples and sub-numbers. Specify the numbers and describe the types of containers (e.g. clear plastic tray within a heat-sealed Mylar bag). Describe any abnormal sample conditions (e.g. torn, broken, not frozen). The worksheet “description of sample” contains only the basics for sample accountability and is consistent with the information

on the Collection Report. Document any discrepancies or deviations found on the worksheet.

Quote the paper seal (FD-415a) exactly as written, including any mistakes and corrections. The seal is quoted in this order: the sample number, date, and printed name (e.g., "X000001 1/1/00 Sidney H. Rogers"). When quoting a metal seal, quote both "U.S. Food and Drug" and the number on the seal. The seal quote is in quotation marks. The seal should be identical to the Collection Report, "*Collector's Identification on Seal*". If a discrepancy exists, the seal should not be broken and the analyst should notify his or her supervisor. If a seal is completely illegible, the analyst should notify his or her supervisor and resolve seal problems with the investigator before going further.

<b>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES</b> PUBLIC HEALTH SERVICE FOOD AND DRUG ADMINISTRATION 	SAMPLE NO.		DATE	SEAL BROKEN BY DATE FDA-415a(2/83)
	SIGNATURE			
	PRINT NAME & TITLE ( <i>Investigator, Inspector, Analyst, etc.</i> )			

Quote previously broken seal present (e.g. from a previous analysis). Include "Seals Broken By", initials and date. Do not remove any official seals from sample unless absolutely necessary (e.g. to enter the sample or to maintain the chain of custody when there is no sample reserve). If a seal is removed, mount it on a sheet of heavy mounting paper and include with the analytical package as an attachment. Note the fact that the seal is attached and a brief description as to why the seal was removed on the worksheet in **Block 11**.

**Other Information:** Describe all sample items down to the container in contact with the product. Additionally describe any standards and reagents included with the sample. If there is insufficient space in **Block 7**, reference location where information is continued. Note in **Block 7** any 702(b) portion of sample collected for the claimant.

**Block 8. Net Contents:** Record label declaration of net contents. When the net contents are listed in multiple units (i.e., both fluid ounces & milliliters) record both declarations. If the label declares both a "net" and a "drained" weight then record only the net weight.

When applicable, indicate the number of sub-samples examined for net contents in the space to the left of "Units Examined". Also, report the average amount in units as declared on the label.

If there is no label or the label lacks a net contents declaration, check "Not Applicable". If the sample contains a labeled net contents and net contents was not determined, check "Not Determined".

**Block 9. Labeling:** Enter the number of original labels, set, or copies submitted. Copies may be photocopies, photographs, handwritten copies "verified as true," etc. Copies are

identified before copying by the analyst. Check "None" if no product labels are being included with the analytical package. A "label" may be a single unit such as a paper label surrounding a can, or a set of separate units (e.g. Outer Product Labeling, Immediate Product Labeling, and Package Insert). A set is considered as 1 original.

- Select and submit labeling that includes the sample collector's identification if available. This reinforces sample integrity when an original label cannot be submitted, the analyst identifies the original label and makes copies.
- At least one unit with the original label is retained "as is" for possible court use. Only under exceptional circumstances and with supervisory approval may a label be removed from a single container that represents the sample and be submitted with the worksheet.
- For actionable samples, analytical packages include three (3) sets of labels and labeling or photocopies thereof. Include at least one set of the originals labeling, if available. Three sets of original labeling can be included as long as one unit with the original labeling is retained. Handwritten or typed copies, which are "verified as true" by the original analyst and one additional analyst, may also be submitted. All originals and copies are identified with the FACTS sample number, date and analyst's initials. For non-actionable samples, only one original or copy of the label and labeling need be submitted. In some cases (e.g. survey samples and fresh produce submitted for pesticide residue analysis) submitting labels is not needed. This is at the discretion of the reviewing supervisor.

Attach all labels to a sheet of mounting paper using staples. If labeling is on two sides of submitted article, attach to mounting paper in a manner that allows both sides to be reviewed (e.g. staple just the top or side to the mounting paper). In the top right hand corner of the mounting paper list the sample number, date, analyst's initials and the word "LABELING". Also, at a location on the mounting paper above, below or beside the label, describe what is being submitted (e.g. original cardboard box label, photocopy of bottle labeling, photograph of original tube) and include identification for example as Outer Product Labeling, Immediate Product Labeling, Package Insert. Assemble the labeling set copies as a set in the order packaged.

**Block 10. Summary of Analysis:** Summarize in concise and concrete language the following information under the headings and in the order listed:

- Container;
- Labeling;
- Code;
- Product;
- Analysis (Purpose);



- Method; and
- Results.

Further clarification of directions for each of these items follows:

**Container:** Describe any commercial container in immediate contact with the product and any retail container(s) enclosing the immediate container. If a complete container is submitted as labeling, do not describe it here but do state that it is being submitted as labeling. Otherwise, supply details as to the container's type, size, color, and closure(s). Color and closure may not be pertinent for some products but are always needed for drugs. Describe any abnormalities or unusual conditions associated with the container, such as opened can, abnormal can, evidence of leakage, or broken commercial seal. Do not describe in detail containers furnished by FDA and used by the collector, such as "Inspector's glass vials", "Whirl-Pak bag", or "Mason jar". For NDA and ANDA samples, describe only the primary product container. Secondary materials, such as standards and reagents, need not be described here, but should be referenced in **Block 7: Description of Sample**.

Examples of container characteristics that should be described include the following:

- Shape (e.g. round, square);
- Color and Transparency (e.g. brown, clear, transparent, translucent, opaque);
- Material (e.g. glass, plastic, Mylar);
- Type (e.g. can, bag, vial, bottle, syringe);
- Closure (e.g. screw cap, septum seal, heat sealed); and
- Dimensions in metric units (e.g. 6.5 cm high x 3.2 cm diameter).

**Labeling:** Describe all labeling associated with the sample, including that found on retail cartons, inserts, direct printing, and wrappers attached to sample units. If labeling from the outer container enclosing the immediate container is submitted with the Collection Report, the analyst indicates on the worksheet that this labeling has been submitted (e.g. copy of labeling from manufacturer's box).

Carefully review the label and labeling both for correlation between analytical results and labeling statements and for compliance with applicable labeling regulations. Any discrepancies on the worksheet should be noted, and the reviewing supervisor should reflect these in the summary report.

**Code:** Quote sample codes and any product expiration date found on containers. Identify its type (e.g. embossed, ink stamped, perforated) and cite its location. Do not record manufacturing codes (e.g. UPC, NDC) associated with jars and shipping containers. When there are units with differing codes in the sample, record all the codes and the number of units per code and correlate these with the sample collector's sub-sample numbers. When there is a discrepancy between the observed code(s) and the code(s) cited on the FACTS Collection Report, document the discrepancy on the

worksheet. For certain types of samples (e.g. microwave ovens, TVs) a warehouse storage number, serial number, or model number may serve the same function as a product code.

**Product:** As applicable, provide a complete and accurate description of the product. Include color, shape, odor, general appearance and texture or consistency in lay language (e.g. frozen shrimp, whole frozen fish). When various sub-samples are raw materials, in-line products, finished products, and environmental samples, describe each in detail. Note any apparent abnormalities of the product (e.g. acetic acid odor in aspirin bottles, broken tablets, discoloration, mold). A picture may be submitted as an attachment to further clarify the product description.

- Do not use the word “normal” to describe a product itself. It may be used to qualify a characteristic of that product, such as “normal appearance”. In describing drugs in solid dosage form, the “Identification Guide for Solid Dosage Form”, *Journal of the American Medical Association (JAMA)* provides descriptive terminology that may be helpful. Some products, such as devices, may be difficult to describe. In such cases one may supplement a written description with a drawing or photograph whenever such an illustration will enhance the product description. Identify and attach the illustration and reference it in the written description.

**Analysis (Purpose):** Indicate the purpose of the analysis along with the number of units being tested. Note sub-numbers if applicable. Refer to the FACTS Collection Report block entitled “Reason For Collection” if there are questions regarding the purpose. Remember that subsequent reviewers may not be familiar with the details of the case or analysis; therefore, the rationale for a analysis is requested and important.

**Method:** For standard methods (e.g. United States Pharmacopeia, National Formulary, Official Methods of Analysis of AOAC INTERNATIONAL) or FDA “Official” methods (e.g. from compendia specified in the Food Drug and Cosmetic Act, Code of Federal Regulations and Compliance Programs, FDA manuals) identify a complete method reference, including edition or date of any revision and page number(s). For computerized references, identify reference with “(on-line)”, section or chapter number, date of any revision specific to section or chapter number. Also state any deviation and modifications made to the method. If selection and preparation of the analytical sample is not described in the method or applicable compliance program, describe this information in the analytical package.

For non-standard and laboratory developed methods, the method used is referenced and kept on file with the analyzing laboratory for non-violative samples. For violative samples, the method used is attached to the analytical package. The worksheet references the memo as “attached memo of...”. Number and include the memo itself as part of the attachment pages. For more than one sample, this reference is included with the lead sample and reference made to its location noted in the analytical packages for the other

samples. Experimental work for validation studies is kept on file with the analyzing laboratory and available upon request.

**Results:** Present analytical findings in a clear and concise manner to expedite interpretation of the results, especially by non-technical, non-scientific personnel. Supply units (i.e., mg, oz, nm) for all analytical data and express the data in the same units as those on the product label. Whenever possible, tabulate the analytical data. Also, if sub-samples with differing codes were individually examined, separately report the results for each code because regulatory action may be based on the results for a particular code exclusive of other codes. Results reflect the correct number of significant figures as indicated by the analytical method. Compare the analytical results with the label declarations, published tolerances and standards, regulatory action levels, manufacturer's specifications or other applicable criteria. Set forth clearly any discrepancies between analytical results and labeling statements or other criteria.

For analytical findings that are confirmed directly without a separate check analysis (e.g. confirmation of TLC spots that fade rapidly, identification of isolated filth elements, sensory confirmation) include a signed statement as to what was confirmed and by whom.

**Block 11. Reserve Sample:** When a reserve sample is retained, provide a description of it for accountability purposes. The amount of reserve remaining correlates with the difference between the amount received and the amount used in the analysis, or provide an explanation for any discrepancy.

- Quote the inscription on any new seal placed on the reserve sample. If the reserve sample is not returned to the sample custodian, record the place and condition of storage. When no reserve remains, state “NONE”, “NO RESERVE”, or something similar. Document the absence of a reserve in FACTS (e.g. on the sample disposition screen).
- When sending a portion of the sample to another party outside the laboratory, describe what was provided, how much, to whom, the date, how it was sealed, and a short explanation as to why the sample was sent.
- If transferring all or a portion of the sample to an analyst within the laboratory indicate what was provided, to whom, the date, and a brief reason for the transfer.
- Return to the sample custodian any developed x-rays, videotapes, computer records, disks or tapes associated with the sample, which due to their bulk or storage-condition cannot be attached to the worksheet as part of the sample reserve. Otherwise submit such supporting documentation as attachments to the analytical report.

**Block 12. Analyst Signature:** If more than one analyst is involved in the analysis, the worksheet shows “who broke the seal” and the involvement of each individual who assisted with the analytical process. The analyst who broke the seal signs and dates in **Block 12a** and checks the applicable box. Other analysts, technicians, and aides participating in the analysis also sign in **Block 12**. Each analyst should identify and initial their work as it appears elsewhere in the package. If more than three individuals are involved in the analysis, the signatures can be continued on the FD-431a or on the back of the worksheet. If an individual’s signature is difficult to read, they need to also print their full name adjacent, above, or below to their signature. With computer-generated worksheets the names of the analysts involved may be already entered or typed in this block, and the analyst still needs to sign his or her name.

**Block 13. Worksheet Check:** A second analyst that is fully knowledgeable of the type of analysis performed or supervisor will review the worksheets and supporting records for technical quality (e.g. method suitability, accuracy of calculations, accuracy of data transferred from one section of the worksheet or attachment to another, completeness). The person who performs these checks will sign and date in this block.

**Block 14. Date Reported:** Following completion of the worksheet check, enter the date that the completed analytical package is given to the supervisor or reviewing official.

### 3.3.3 Continuation Sheet, FD-431a

Use the “General Continuation Sheet” to continue information from **Block 7**, **Block 10**, **Block 11**, and to record other data and observations that will not fit on the first page of the worksheet (FD-431). The FD-431a is also used to record raw analytical data, calculations, controls, calibrations, standardizations, and instruments or equipment used.

Complete the blocks of this form as follows:

- **Product:** Enter product name identical to that found on the first page of the FD-431.
- **Sample No.:** Enter the FACTS assigned sample number. This number should be identical to that on the FD-431.
- **Body:** The body on the FD-431a can be used for the following:
  - To continue information from the FD-431. When information is continued on the FD-431a, clearly indicate the block number, name and “continued”. Reference where continued in original block on the FD-431.
  - To record raw analytical data, calculations, controls, calibrations, standardization, instrument operating parameters, and identification of instruments or equipment used to complete the analysis.

Use the following guidelines:

- Clearly annotate entries.
- Enter data in a logical sequence. It is permissible to abbreviate, but there should be sufficient detail and identification for complete reconstruction and understanding of the data.
- When showing calculations, use the formulas given in the method whenever possible and explain any factors used in the calculation that are not evident in the method or from common knowledge.
- Provide the name, model number, and instrument identification number on instruments utilized. If this data is in an attachment, reference the location where this information is found.
- If the back of the sheet is used, enter the FACTS assigned sample number, date, analyst's initials and page number in the upper right hand corner of each page on which an entry is made.
- **Analyst:** The “lead” analyst signs his or her name in this block. When a computer-generated form already has the “lead” analyst's printed name in this block, he or she only needs to initial that entry.
- **Page Number:** Consecutively number the pages.

### 3.3.4 Miscellaneous Data Entry

- Unused areas of worksheets are marked by lining out. A diagonal line is placed through the entire empty space, initialed, and dated.
- Unused data is lined out, initialed, dated, and state why the data was not used.
- If data generated for a series of similar samples, each under a different sample number, are not completely recorded on or attached to each individual analytical package, reference the lead sample package containing all the original data in each package. Examples of such data include a standard curve, the standardization of a solution, or TLC-plate observations. However, if one of the samples is violative, attach a copy of the original data to that package. Reference the sample number containing the original data on the violative package. Ensure the lead sample containing the original data stays with the violative package. A copy of the original data is not required to be attached to all the sample packages if all of the samples are violative. This reference is included with the lead sample and reference made to its location noted in the

analytical packages for the other samples.

- Include full name, source and lot number for all reference standards. List any pertinent preparation conditions (e.g. Drying at 105 °C for two hours, 2.34% water). For working standards include assay value, date, and a reference to where the assay data can be found.
- If a computer program is used to generate results, list the name and date of latest revision. (If it is not shown on the computer-generated sheet.)

## **3.4 Additional and Check Analysis**

### **3.4.1 Additional Analysis**

An additional analysis consists of additional tests conducted on a sample to perform determinations not covered by the original analysis or to resolve discrepancies in analytical results reported. Additional analysis may be performed on the original FDA composite, sample extract, or on a new FDA portion of the sample.

### **3.4.2 Check Analysis**

The check analysis is performed to confirm a finding. The check analysis is performed by an standard method or FDA “Official” method. When such a procedure is not available, or is unsuitable for the analysis being performed, recovery data will be obtained to support validity of the results.

Requirements for check analyses are discussed below. These are not all-inclusive. There will be circumstances when the check is not required or, conversely, when it is judged necessary on a sample usually exempt from check analysis. Individual compliance programs and Compliance Policy Guides must be consulted for special requirements. When unusual circumstances exist for particular samples, the center(s) must be consulted about the need for check analysis.

#### **3.4.2.1 Check Analysis Required**

Check analysis is necessary on violative regulatory samples, both domestic and import, and on violative samples that will be referred to a local, State, or Federal agency and that may form the basis for action by that agency.

Check analysis will be conducted by a second competent and qualified analyst and, when one is available, on a separate, intact portion of the product (e.g. intact food product, intact tablets, unopened vials or bottles of liquid products). In practice, there may be reasons for exceptions to this requirement:

- a. When sample preparation instructions require compositing and comminuting or blending the entire sample (e.g. some pesticide or metal samples), the check

analyst will analyze a second portion of the prepared composite. When comminution is not required for the entire composited sample, the check analyst will take a representative portion of the uncomminuted composite and subject it to the required additional preparation.

- b. When program requirements do not provide a FDA reserve portion (e.g. certain medical devices, radiological health samples), where feasible, a second analyst may observe the original analyst's work or duplicate selected segments of the analysis on the same sample.
- c. When the examination is for isolated filth and extraneous material, the check analyst need only examine elements isolated by the original analyst from a sufficient number of sub samples to be assured that the original analyst has reliably identified the elements.
- d. When visual examinations for defective units of foods, drugs, or devices are conducted by an analyst, another analyst (usually one who is more experienced) confirms the defects.
- e. For samples that traditionally do not have separate portions analyzed, such analysis is not truly a check analysis, rather, it is a confirmation of the original results. Such analyses include moisture and fat determinations on dairy product sub samples prepared by the original analyst, mold counts on sub samples prepared by the analyst if no FDA reserve portion is available, or organoleptic examination of sub samples analyzed by the original analyst if no FDA reserve is available and there are no instructions directing analysis of a separate intact portion.

When reagents, standards, and equipment are required in the analysis, the check analysis will be conducted independently of the original analysis. The check analyst must prepare the reagents and standards used, or must demonstrate by reanalysis (e.g. volumetric solution), controls (e.g. media), or other objective evidence that those prepared by others have been prepared properly. When traceable reference standards exist (e.g. National Institute of Standards and Technology (NIST), USP), a reference standard from the current lot(s) must be used in the check analysis. When physical examinations are the issue and the same equipment must be used by the check analyst, the analyst must check the equipment to assure that it is calibrated and operating properly.

Check analysis of a sample may be requested of another district or headquarters laboratory for a specific reason. Reasons for such a request include:

- availability of an unusually experienced analyst who is familiar with the method or the range of analytical responses exhibited by the commodity;
- availability of specialized instrumentation; or
- compliance programs may also state that check examinations are to be

performed by specific district or headquarters laboratories.

### **3.4.2.2 Check Analysis Not Required**

Check analysis is not necessary in the following instances:

- a. When certain types of samples are specifically exempted from the requirement for a check analysis by a compliance program or by the Compliance Policy Guides.
- b. When check analysis of specific samples is waived by the center.
- c. When the original analysis is performed by a national or international expert, unless specifically called for by a program or by the Compliance Policy Guides or when the method of analysis, instrumentation, or circumstances require check analysis by other experts. For field laboratories, this decision will be made by the director, Division of Field Science, in consultation with the laboratory director, and the appropriate center compliance unit.
- d. When the original analysis using an standard or FDA “Official” analytical method confirms the result of another government laboratory and personnel from that laboratory will so attest to the results.

The following types of out-of-compliance samples do not require check analysis:

- a. Microbiological samples. Devices for sterility and samples analyzed for antibiotic potency using microbiological techniques do not require check analysis.
- b. Samples originally examined for filth and extraneous material by an analyst recognized as a national or international expert in the particular micro analytical identification. Isolated material must be maintained with the reserve sample.
- c. Exhibits of filth and extraneous material that have been isolated and submitted by the investigator or inspector and confirmed by a qualified analyst.
- d. Samples for net weight determinations when initial weighings have been made by the investigator or inspector and confirmed by a qualified analyst.
- e. Samples proposed for regulatory action on the basis of labeling and the original analysis confirms the label declaration of ingredients.

## **3.5 Assembling, Reviewing, and Approving the Analytical Package**

### **3.5.1 Assembling the Analytical Package**

Once the analysis is complete, records related to the sample are assembled for review as follows:



- Worksheets & Continuation Sheets (FD-431 and 431a)
- Attachments
- Labeling
- (Optional) Other Documents

The analyst having primary responsibility for the sample assembles these documents. The composition of the analytical package varies depending upon how the sample is handled or treated by the laboratory. Different classifications of the sample may result in a package lacking one or more of the records. Examples of this include samples that are classified as Class 5 which are ones collected for analytical purposes but not examined or held for further action, and perishables that have arrived at the laboratory decomposed and can not be analyzed. In this case, there will be no worksheets or analytical package; the sample will be closed in FACTS.

Worksheets, Continuation Sheets, and Attachments – Worksheets, continuation sheets, and attachments are assembled in a manner that effectively organizes and displays the analyst’s findings.

Page Numbering and Identification – Worksheets and continuation sheets compose the main sections of the analytical package and are numbered in consecutive order using a format showing the total number of pages (e.g. 1 of 6, 2 of 6. . .6 of 6.)

Attachments – Additional analytical records (e.g. instrument or computer generated charts and data sheets, photographs, negatives, developed x-rays, videotapes) accumulated during the analytical phase of the sample examination attached as needed to support laboratory findings and conclusions.

- Each page of each attachment will be directly identified with the FACTS sample number and unique attachment number or letter, date, and initials of the analyst.
- The first page of each attachment is also titled, and attachments with multiple pages are numbered (e.g. 1 of 4, 2 of 4. . . 4 of 4).
- If the attachment is less than the size of a page or of awkward shape, the item may be mounted securely on heavy mounting paper. If mounting paper is used, it is also identified with the sample number, date, and the analyst's initials.
- The number of attachments included with the analytical package is listed as “Attachments A to ZZ” or “Attachments 1 to 99” in the bottom of block ten or in the bottom margin of the first page worksheet (FD-431).
- In situations where an instrument produces a large number of spectra (e.g. GC/MS and FTIR/MS) and it is not practical to attach them all to the package

only those used to form analytical conclusions need be attached.

- Labels and Labeling – Labels and labeling are separate from attachments and should *not* be identified as such in the analytical package. The number and types of labels and labeling included with a package are identified in **Block 9** of the basic worksheet.

### 3.5.2 Reviewing the Analytical Package

After assembling the analytical package, the analyst forwards it for review.

Worksheet Check –A second qualified analyst or supervisor will review the package prior to it being forwarded to the responsible Branch level reviewing official. This reviewer inspects the package for accuracy and completeness, and if any errors or omissions are discovered, returns it to the analyst for correction. Once this reviewer determines the worksheets and supporting documentation are satisfactory, they will sign and date in **Block 13** on the first page of the worksheet. If not performed by the supervisor, the package is forwarded to the responsible branch or section level supervisor for further review and classification.

Supervisor Review – Following the worksheet check, the responsible branch or section level supervisor reviews it for accuracy and completeness. If any errors or omissions are discovered, it will be returned to initial reviewer or the analyst for correction. Once the reviewing supervisor determines that the worksheets and supporting documentation are satisfactory, he or she completes **Block 13** (if it is not already completed as a result of an analyst review), and enters their conclusions, related program assignment, and sample classification codes into the FACTS system.

Follow-Up Actions – If the data compiled by the analyst is insufficient or inadequate to determine the sample’s compliance status, the responsible supervisor will contact the client (e.g. compliance officer, investigator, Center) to discuss and identify additional actions to resolve this situation.

### 3.5.3 Approving the Analytical Package and Reporting

Sample classifications are defined in part **3.8 Definitions**.

Approval of Class 1, 2, 4, and 5 Samples – Analytical packages for non-actionable samples will be approved by the responsible branch or section supervisor. To indicate approval, the branch or section level supervisor will set the sample status in FACTS to “Completed”.

Approval of Class 3 Samples – Analytical packages for actionable samples are approved by the laboratory director. The responsible section or branch level supervisor will enter their recommended conclusions, related program assignment, and sample classification

codes into the FACTS system when they find the package to be satisfactory. This supervisor will then set the status in FACTS to “Ready for the Laboratory Director’s Review” and forward the package to the director. The laboratory director reviews both the analytical package and recommended conclusions in FACTS. If the director is not satisfied with the package, it or the FACTS summary is returned to the responsible branch or section level supervisor for corrections, changes, or additional testing. If the director finds the analytical package and FACTS input satisfactory, they will indicate their approval by setting the sample status in FACTS to “Completed”.

See Laboratory Manual Volume II Section 2, ORA.LAB 5.10 Reporting Laboratory Data. This procedure defines the process for reporting analytical findings.

### **3.6 Abbreviated Recording and Reporting of Findings for Surveillance Samples**

See FMD 77. This directive describes procedures to be used by laboratory analysts for recording sample information and analytical findings for surveillance samples. This procedure simplifies data recording for surveillance samples collected for informational purposes only and which by nature are not used for compliance actions. It is intended to promote more efficient use of laboratory resources, and not to be used for or in support of regulatory actions to include follow-ups to out-of-limit surveillance samples.

### **3.7 Consumer Complaint Letters**

A complainant is to be informed of FDA's findings when a sample is examined. When the examination is completed (or if no examination is made), an inquiry is made to determine if the consumer wishes the sample returned.

There may be rare occasions when an intact complaint sample serves as the basis for legal actions. On these occasions, the compliance branch is consulted before an offer to return the remaining sample is made.

A letter is sent to the complainant advising the individual of the general nature of the findings. When additional interpretation is indicated, an explanation of the findings is included. If an examination has not been made, the complainant is informed and given the reason(s). Do not offer to return the sample if it is needed for FDA regulatory purposes or if it has been purchased from the complainant.

Sufficient copies of the consumer complaint letter must be provided for distribution to:

- the complainant (original); and
- the home district and collecting district, if different from the examining district (1 copy each); and
- the analyzing laboratory (1 copy).

The letter to the complainant is sent by certified mail, return receipt requested, to establish a clear record of the transaction. If the complainant requests the sample, the sample is returned and an appropriate record maintained. Complaint samples are held for at least thirty days from the time the letter is sent. If sample return is not requested by the complainant during this period, the sample may be destroyed.

Cosmetic injury complaint reports will be handled by the Center for Food Safety and Applied Nutrition.

### **3.8 Definitions**

**Analytical Package** – A collection of printed records designed to provide a complete account of laboratory’s analytical efforts and related findings and conclusions.

**Attachments (to an Analytical Package)** – Broken seals, instrument generated charts, chromatograms and spectra, contractor provided data, computer printouts, standard curves, photographs, x-rays, exhibits are to support laboratory findings and conclusions.

**Claimant’s Portion** – This is the portion of a sample, normally referred to as a 702(b) sample, that is retained by the laboratory in its original condition for examination by any person named on the label of the article, or the owner thereof, or their attorney or agent per the requirements of Section 702(b) of the FD&C Act and 21 CFR 2.10.

**Labels or Labeling** – Labels or labeling is commercially printed material that describes the contents of a sample package and is found in association with the product. Labels or labeling include carton labeling, bottle labels, all inserts, product packaging, promotional materials, photographs or photocopies of original label, or verified handwritten copies. Labels or labeling is often referred to as Outer Container Labeling, Immediate Container Labeling, and Package Insert. Labels or labeling is comprehensively defined in the FD&C Act, Sections 201(k) and 201(m).

**Sample Classifications** – Samples are assigned by laboratory supervisors to classes based upon whether they are considered “regulatory (classes 1, 2, 3, & 5)” or “non-regulatory (class 4)” in nature, and the results of the laboratory’s examination.

- **Class #1 (In Compliance)** – The sample meets established standards (CFR, USP, etc.) or policy guides in the absence of standards.
- **Class #2 (Regulatory Action Not Indicated)** – The sample:
  - fails to meet established standards, but does meet policy guides;
  - in the absence of standard guides, the results are not applicable for regulatory actions because of the level or significance of these results;

- the sample results indicate the need for further investigatory, compliance, and/or policy follow-up and the worksheet/analytical documentation will be forwarded to the responsible FDA office(s) for review. For example, the laboratory identified a color which was permitted as a dye and not as a “lake” and the difference between the two forms could not be determined analytically.
- Class #3 (Adverse Findings) – The sample fails to meet established standards and policy guides; or the results, in the absence of standards and guides, are of a level or significance to support a recommendation for regulatory action. This classification is also used for documentary samples, exhibits or other types of samples which are being held without analysis for evidence in regulatory proceedings.
- Class #4 (No Classification Needed) – The sample is not of the type for classification because the type of examination or the reason for analysis, makes classification meaningless. Examples include survey samples where one sample consists of multiple products or where there is no documentation to support regulatory action. These include “Total Diet Samples” and samples examined for another regulatory agency that has responsibility for classifying the sample, or samples used in research, collaborative studies or petition validation projects.
- Class #5 (Sample Not Analyzed or Reviewed) – The sample was collected for analytical purposes but the decision was made not to review, analyze, or hold the sample for further action.

Regulatory Samples – All samples collected for regulatory analysis. Samples received from cooperating agencies may be regulatory or for information purposes only. They are to be handled the same as FDA samples. The following samples may be exceptions:

- a. Survey samples for gathering information only. The design of the survey may not permit regulatory action (e.g. no 702(b) portion, insufficient units analyzed, multiple manufacturers under one sample number).
- b. Samples collected to gather authentic data (e.g. food standards).
- c. Samples designated as laboratory quality assurance samples.

Responsible Supervisor – The laboratory’s branch or section level supervisor with primary responsibility for the sample being examined.

Standard Method and FDA “Official” Method – A method that is traceable to a recognized, validated method. FDA “Official” methods are those in compendia specified

in the Food, Drug, and Cosmetic Act and prescribed in the Code of Federal Regulations, 21 CFR 2.19. The compendia listing official methods include “The United States Pharmacopeia/National Formulary”, “The Homeopathic Pharmacopeia”, “Official Methods of Analysis of the AOAC”, and “Food Chemicals Codex”. Official methods of analysis may also be found in FDA published analytical manuals for each compliance program category. Official methods of analysis may also be found in FDA published analytical manuals to include the Pesticide Analytical Manual (PAM) and the Bacteriological Analytical Manual (BAM).

### 3.9 Document/Change History

Version 1.3 Revision Approved: 03/23/05 Author: LMEB Approver: LMEB

Version 1.4 Revision Approved: 12/06/06 Author: LMEB Approver: LMEB

Version 1.4 changes:

3.3.2, **Block 9. Labeling**: - added term “set”; defined “label” and set in first paragraph; added identification examples and assembly of labeling sets to last paragraph.

3.3.2 **Block 10. Summary of Analysis**: - moved second sentence from **Container**: to first paragraph of **Labeling**:

3.9 Changed from Document History to Document/Change History