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Top Stories

FDA Memorandum Outlines Significant Overhaul of Inspection and Compliance Processes
In an internal memorandum to FDA leadership, Commissioner Margaret Hamburg "chart[s] the course for modifying Agency functions and processes to improve communication and collaboration and to clarify roles and responsibilities and decision rights across all Agency components."

The memo acknowledges the feedback Dr. Hamburg received during the evaluation that FDA's responsibilities are rapidly changing, and in light of this, the agency must move to a "distinct commodity-based" and "vertically integrated" regulatory scheme. Such changes will require time and reorganization. The commodity-based, vertically integrated regulatory programs mirror the areas of responsibility covered by the various Centers and continue to move the agency away from a regional approach that has previously dominated the agency's inspection regime.

The memo goes on to discuss specialization with regard to inspection and compliance functions, training, agency work planning, compliance policy and enforcement strategy, imports, laboratory optimizations, and de-layering management and review levels to facilitate timely and appropriate actions and enhance accountability. Finally, the Commissioner lists a dozen "next steps" that seek to further clarify and expand on the identified implementation decisions.
The full memo is available here.

FDA Concerned Over Safety of Drugs Manufactured in India
The New York Times reports that FDA investigators have been "blitzing Indian drug plants." India, one of the largest exporters of prescription and over-the-counter drugs to the United States, is increasingly being scrutinized in light of recent safety lapses and ensuing investigations originating from drugs made there. A *Financial Times* article chronicles India's concerns that FDA is being too harsh on the country's manufacturers. These stories come in the wake of FDA Commissioner Margaret Hamburg's recent visit to India.

CBER and CDER Publish 2014 Guidance Agendas
The Center for Biologics Evaluation and Research ("CBER") and the Center for Drug Evaluation and Research ("CDER") have both issued a Guidance Agenda, listing the guidance documents that each Center intends to publish this year. The CBER Guidance Agenda lists eight guidance documents across three categories: blood and blood components; cellular, tissue, and gene therapy; and vaccines. The CDER Guidance Agenda lists substantially more at 80 planned guidance documents across 15 categories, most substantially in the areas of advertising, biosimilarity, chemistry, clinical/medical, production quality, electronic submissions, labeling, and procedural guidance.

CDRH Releases 2014–2015 Strategic Priorities Report
In early February, the Center for Devices and Radiological Health ("CDRH") released its 2014–2015 Strategic Priorities, which describe the goals that CDRH has identified as critical to reaching its vision: (i) strengthen the clinical trials enterprise, (ii) strike the right balance between premarket and postmarket data collection, and (iii) provide excellent customer service.

FDA hopes that by focusing on these areas, medical device developers will be more likely to choose the U.S. as the country of first choice for their technologies, because it is a key contributor to early patient access to high-quality, safe, and effective devices.

This strategic priorities plan also includes measurable outcomes with implementation deadlines as early as September 30, 2014. Although these are nonbinding, it is a first for CDRH in this context. In related postings, CDRH also posted fact sheets on Standards of Excellence for customer service and the CDRH Quality Management Framework.

CDER Official Testifies Before Congress on Drug Shortages
Douglas C. Throckmorton, M.D., the Deputy Director for Regulatory Programs at FDA's CDER, testified before the House

Committee on Energy and Commerce, Subcommittee on Health on the progress FDA has made in preventing and mitigating drug shortages. His testimony examines the causes of drug shortages in the United States, citing manufacturing issues and lack of alternatives, and the important roles of FDA and other stakeholders, in addition to manufacturers, in addressing the underlying issues. He concludes by explaining FDA's current strategic plan and noting that sustained investment in reliable, high-quality modern drug manufacturing is an important target for future work.

Other News
GAO Issues Report on Drug Shortages.
USA Today: Not all FDA-approved drugs get same level of testing.
Illegal prescription drug sellers arraigned on charges for smuggling illicit cancer drugs into the United States.
FDA Commissioner travels to India, second largest provider of finished drug products to the United States.
FDA Reports 2012 "Another Strong Year for Novel New Drug Approvals."
FDA Launches Advisory Committee Membership Nomination Portal.
FDA evaluating risk of stroke, heart attack and death with FDA-approved testosterone products.

Regulatory Updates

FDA Issues Guidance on Annual Reports for Approved PMAs
In the February 10, 2014 *Federal Register*, FDA announced the availability of a guidance titled Annual Reports for Approved Premarket Approval Applications (PMA), which describes the information required to be included in an annual report for an approved PMA, additional information requirements that may be imposed by an approval order, and FDA's recommendations for the level of detail.

FDA Issues Draft Guidance on Analgesic Indications
In the February 6, 2014 *Federal Register*, FDA announced the availability of a draft guidance titled *Analgesic Indications: Developing Drug and Biological Products*, which provides recommendations to sponsors on the development of prescription drugs, specifically the unique trial design issues and chemistry, manufacturing, and controls concerns, for the management of acute and chronic pain, as well as the management of breakthrough pain. ***Comments due April 7, 2014.***

FDA Issues Final Rule and Guidance on Electronic Medical Device Reporting
In the February 14, 2014 *Federal Register*, FDA published a Final Rule that revises its postmarket medical device reporting regulation and makes technical corrections. This final rule requires device manufacturers and importers to submit mandatory reports of individual medical device adverse events, also known as medical device reports ("MDRs"), to the Agency in an electronic format that FDA can process, review, and archive. Electronic reporting is also available to user facilities, but this rule permits user facilities to continue to submit written reports to FDA. This final rule also identifies changes to the content of required MDRs to reflect reprocessor information collected on the Form FDA 3500A as required by the Medical Device User Fee and Modernization Act of 2002. In the same Federal Register, FDA announced the availability of the guidance titled *Questions and Answers About eMDR—Electronic Medical Device Reporting*, which provides general information regarding how to prepare and send an electronic postmarket medical device report to the Center for Devices and Radiological Health in FDA. The guidance also identifies where to find more detailed information on the preparation and transmission of the reports.

FDA Issues Guidance on Receipt Date of Electronic Submissions
In the February 7, 2014 *Federal Register*, FDA announced the availability of a guidance for industry titled *Providing Regulatory Submissions in Electronic Format—Receipt Date*, which describes how FDA will assign receipt dates to certain submissions provided to CDER and CBER in electronic format.

FDA Issues Draft Guidance on Section 745A(a) Electronic Submissions
In the February 6, 2014 *Federal Register*, FDA announced the availability of a draft guidance for industry titled *Providing Regulatory Submissions in Electronic Format—Submissions Under Section 745A(a) of the Federal Food, Drug, and Cosmetic Act*, which describes how FDA interprets and plans to implement certain electronic submission requirements of the Food and Drug Administration Safety and Innovation Act ("FDASIA"). ***Comments due May 7, 2014***.

FDA Issues Revised Draft Guidance on Submitting Standardized Study Data in Electronic Submissions
In the February 6, 2014 *Federal Register*, FDA announced the availability of a revised draft guidance for industry titled *Providing Regulatory Submissions in Electronic Format—Standardized Study Data*, which describes how FDA plans to implement the requirements for the electronic submission of standardized study data contained in certain submissions to new drug applications (NDAs), abbreviated new drug applications (ANDAs), biologics license applications (BLAs), and investigational new drug applications (INDs). ***Comments due May 7, 2014***.

FDA Issues Proposed Rule and Direct Final Rule on Maximum CMPs
In the February 3, 2014 *Federal Register*, FDA published companion notices—a Proposed Rule and a Direct Final Rule—issuing a new regulation to adjust for inflation the maximum civil money penalty ("CMP") amounts for the various CMP authorities within FDA's jurisdiction and to amend the process for initiating certain CMP administrative actions. Without significant adverse comment by April 21, 2014, the Final Rule will be effective on June 18, 2014.

FDA Publishes Modifications to List of Standards Recognition List
In the January 30, 2014 *Federal Register*, FDA announced the publication of modifications the Agency is making to the list of standards FDA recognizes for use in premarket reviews, also known as FDA recognized consensus standards, specifically Recognition List Number: 034.

FDA Requests Nominations to the FDA Science Board
In the February 3, 2014 *Federal Register*, FDA requested nominations to serve on the FDA Science Board, which advises the Commissioner and other officials on specific complex scientific and technical issues important to FDA and its mission, including emerging issues within the scientific community. ***Nominations due March 5, 2014.***

FDA Classifies EEG Assessment Aid as Class II
In the February 18, 2014 *Federal Register*, FDA announced the agency has classified the neuropsychiatric interpretive electroencephalograph (EEG) assessment aid into class II (special controls), effective March 20, 2014.

FDA published the following *Federal Register* Notices Regarding Agency Information Collection Activities:
Opportunity for comment on proposed collection of information on the Guidance for Industry on Special Protocol Assessment (***comments due March 12, 2014***).

Opportunity for comment on a Submission for OMB Review on Patent Term Restoration, Due Diligence Petitions, Filing, Format, and Content of Petitions (***comments due March 12, 2014***).

Opportunity for comment on proposed collection of information on paperwork burden of animal drug sponsors to fill out the ADUFA cover sheet (***comments due April 4, 2014***).

Opportunity for comment on Guidance for Industry on Pharmacogenomic Data Submissions (***comments due April 7, 2014***).

Opportunity for comment on proposed collection of information on the FDA Safety Communication Readership Survey (***comments due April 11, 2014***).

Upcoming Meetings, Workshops, and Conferences

Medical Devices
Public Workshop on Biofilms, Medical Devices, and Anti-Biofilm Technology—Challenges and Opportunities, **February 20, 2014** in Silver Spring, MD.

Public FDA/AGS Workshop on Supporting Innovation for Safe and Effective Minimally Invasive Glaucoma Surgery, **February 26, 2014** in Washington, D.C.

Public Workshop on Application of Physiologically Based Pharmacokinetic Modeling To Support Dose Selection, March 5–6, 2014 in Atlanta, GA.

Regulatory capacity building training program on Medical Devices Regulatory Capacity Building Training Program for AHWP, ASEAN, Latin American and Other Medical Devices Regulators in collaboration with the World Health Organization (WHO), **March 27–28, 2014** in San Francisco, CA.

Public FDA/AAO Workshop on Developing Novel Endpoints for Premium Intraocular Lenses, **March 28, 2014** in Silver Spring, MD.

Drugs
IOM/FDA Public Workshop on Characterizing and Communicating Uncertainty in the Assessment of Benefits and Risks, **February 12–13, 2014** in Silver Spring, MD

Public Workshop on Advancing the Development of Pediatric Therapeutics (ADEPT): Pediatric Bone Health, **March 4, 2014** in

Bethesda, MD.

Public Workshop and request for comments on Application of Physiologically Based Pharmacokinetic Modeling To Support Dose Selection, **March 10, 2014** in Silver Spring, MD. ***Comments due April 10, 2014***.

Public Hearing and request for comments on Over-the-Counter Ophthalmic Drug Products—Emergency Use Eyewash Products, **March 7, 2014** in Silver Spring, MD. ***Comments due March 4, 2014***.

Rescheduled Public Meeting on Fibromyalgia Patient-Focused Drug Development, **March 26, 2014** in Silver Spring, MD.

Public Meeting on Patient-Focused Drug Development for pulmonary arterial hypertension (part of PDUFA V's performance commitments), along with an opportunity for public comment. The meeting will be held on **May 13, 2014** in Silver Spring, MD. ***Comments due July 14, 2014***.

Advisory Committee Meetings
February 20, 2014: Anesthesiology and Respiratory Therapy Devices Panel of the Medical Devices Advisory Committee Meeting Announcement

February 21, 2014: Orthopaedic and Rehabilitation Devices Panel of the Medical Devices Advisory Committee Meeting Announcement

February 25, 2014: Joint Meeting of the Nonprescription Drugs Advisory Committee and the Pulmonary Allergy Drugs Advisory Committee Meeting Announcement

February 25–26, 2014: Cellular, Tissue, and Gene Therapies Advisory Committee Meeting: Announcement

February 26, 2014: Nonprescription Drugs Advisory Committee Meeting Announcement

February 28, 2014: Vaccines and Related Biological Products Advisory Committee Meeting Announcement

March 3, 2014: Pediatric Advisory Committee Meeting Announcement

March 12, 2014: Microbiology Devices Panel of the Medical Devices Advisory Committee Meeting Announcement

March 20, 2014: Gastroenterology and Urology Devices Panel of the Medical Devices Advisory Committee Meeting Announcement

March 20, 2014: Vaccines and Related Biological Products Advisory Committee Announcement

March 26–27, 2014: Molecular and Clinical Genetics Panel of the Medical Devices

March 31, 2014: Anti-Infective Drugs Advisory Committee Announcement

Note for Advisory Committees: FDA Launches Membership Nomination Portal
On January 22, 2014, FDA launched an online, interactive system that allows interested individuals to submit nominations for membership to any of the agency's 33 advisory committees. The portal will also enable nominees to submit their application from FDA's website.

Other Meetings
Public Conference on Serious Drug-Induced Liver Injury (DILI): Who Gets It? Who Doesn't? Why?, March 19–20, 2014 in Hyattsville, MD. Additional information and registration available here.

For more comprehensive listings of FDA meetings, please visit these FDA web pages:
- Workshops & Conferences (Medical Devices)
- Meetings, Conferences, & Workshops (Drugs)
- Workshops, Meetings & Conferences (Biologics)
- FDA Advisory Committee Calendar

Enforcement Updates

Recent Product Recalls
Recent drug recalls have included several injection products due to particulate matter or potential for other contamination, and an eye drop product manufactured in Vietnam due to sterility issues at the production facility.

Recent medical device recalls have been for reasons of incorrect statements in the instructions for use, incorrect factory-set unit of measures for meter readings, and a physical defect leading the product not to function properly.

No biologic products have been posted to FDA's website in the last 60 days.

Click here for a complete listing of FDA Recalls.

Recent Warning Letters
In 2014, FDA has thus far issued warning letters to at least two compounding pharmacies for violations of the Current Good Manufacturing Practices regulations and for selling unapproved new drug products that are misbranded because drug products are manufactured and distributed without valid prescriptions for individually identifiable patients. Two foreign firms, one in China and one in Finland, received warning letters related to medical devices. The Finish firm was cited for violations of the quality systems regulation and the Chinese firm for marketing a medical device that claimed to tighten skin and reduce fat without the requisite FDA approval or clearance. Warning letters were also issued for violations of the regulations governing Institutional Review Boards and violations of the Mammography Quality Standards Act.

Click here for FDA's Warning Letters Home page (scroll down for listing of recently posted Warning Letters).

Recent Drug and Device Approvals
FDA approves Farxiga to treat type 2 diabetes (January 8, 2014).

FDA approves first gel for sealing corneal incision after cataract surgery (January 9, 2014).

FDA approves Mekinist in combination with Tafinlar for advanced melanoma (January 10, 2014).

FDA allows marketing for first-of-its-kind post-natal test to help diagnose developmental delays and intellectual disabilities in children (January 17, 2014).

FDA Approves Hetlioz: first treatment for non-24 hour sleep–wake disorder in blind individuals (January 31, 2014).

FDA approves pediatric use of Dexcom's G4 Platinum continuous glucose monitoring system (February 3, 2014).

FDA approves Imbruvica to treat chronic lymphocytic leukemia (February 12, 2014).

FDA approves Vimizim to treat rare congenital enzyme disorder (February 14, 2014).

For additional information on drug and device approvals and clearances, please visit FDA's web pages on Drug Approvals and Databases (includes biologics) and Device Approvals, Denials, and Clearances.

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