Republic of the Philippines
Department of Health
FOOD AND DRUG ADMINISTRATION

24 AUG 2018

FDA CIRCULAR
No. 2018-012

SUBJECT: Rescinding FDA Circular No. 2013-004 and Instituting Post-marketing Surveillance (PMS) Requirements for New Drugs under Monitored Release

1. BACKGROUND/RATIONALE

On 15 March 1989, Administrative Order No. 67 s. 1989 was issued to provide the rules and regulations for the registration of pharmaceutical products. Under the said AO, "new drug" (i.e., those classified as monitored-release) refers to a new chemical or structural modification of a tried and tested or established drug proposed to be used for a specific therapeutic indication, which has undergone adequate clinical pharmacology Phase I, II and III studies but which needs further Phase IV Clinical Pharmacology studies before it can be given regular "initial" registration. Section 3.7 and 3.8 of Bureau Circular 05 s. 1997 provides the requirements for the conduct of these studies, with additional supplemental guidelines as provided under Administrative Order No. 2006-0021.

On 30 August 2001, Administrative Order No. 47-A series of 2001 was issued to provide rules and regulations of imported and locally produced vaccines and biological products. Under Article 1.19 of Section I. Definition of terms, "Phase IV products or combined vaccines for a period of five years." Item 1.7 of Article 1. General Standards and Policies of Section II. Registration states that all new biologic products shall require local Phase IV clinical trial.

On 22 February 2013, FDA Circular No. 2013-004 was issued which set the standards and requirements for the conduct of post-marketing surveillance (PMS) for all drug products. However, in the course of its implementation, several issues were identified.

2. OBJECTIVE

The objective of this Circular is to rescind Circular No. 2013-004, and to clarify and provide guidance in the conduct of PMS of all drug products, specifically for drug products classified as monitored release.

3. SCOPE

This Circular shall apply to all marketing authorization holder (MAH) of drug products classified as monitored release.

4. GUIDELINES

4.1. All MAH shall establish a PMS system for every product in the market which shall be translated into a product Risk Management Plan (RMP) to be submitted to the FDA. The product RMP shall be a requirement for the approval of applications of new drug products classified as monitored release [i.e., new chemical entities (NCEs)] and biological products, and shall be based on the latest version of the following guidelines:

- ICH Harmonised Tripartite Guideline: Pharmacovigilance Planning—E2E
- The European Medicines Agency's (EMA) Guideline on Risk Management Systems for Medicinal Products for Human Use;
- EMA's Guideline on Good Pharmacovigilance Practices (GVP) Module V – Risk Management Systems;
- EMA's Volume 9A of The Rules Governing Medicinal Products in the European Union – Guidelines on Pharmacovigilance for Medicinal Products for Human Use; and
- The U.S. Food and Drug Administration Amendments Act of 2007 (FDAAA) and the FDA's Guidance for Industry Format and Content for Risk Evaluation and Mitigation Strategies (REMS), REMS Assessments, and Proposed REMS Modifications.

4.2. Local Phase IV clinical trial for drug products that are classified as monitored release shall be conducted following an FDA-approved protocol, consistent with the guidelines provided under A.O. No. 67 s. 1987, as supplemented by A.O. No. 2006-0021.

4.3. Upon submission of the complete and correct requirements, review and approval of the clinical trial protocol and product dossier, the FDA shall grant a marketing authorization (MA) distinctly indicating that it is classified as monitored release, which shall be valid for three years, unless sooner revoked, but with provision for a single extension.

4.4. Pertinent fees shall adhere to A.O. No. 50 s. 2001: Revised 2001 Schedule of Fees and Charges for the Corresponding Services Rendered by the Bureau of Food and Drugs.

5. REPEALING CLAUSE/SEPARABILITY CLAUSE

Circular No. 2013-004, as well as provisions in previous circulars and memoranda that are inconsistent with this Circular are hereby withdrawn, repealed, and/or revoked accordingly.

Such withdrawal, repeal and/or revocation shall be without prejudice to actions accruing prior to the effectivity of this Circular against MAH under the old Circular.

If any provision in this Circular, or application of such provision to any circumstances, is held invalid, the remainder of the provisions in this Circular shall not be affected.

6. EFFECTIVITY

This Circular shall take effect immediately.

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