

Certification of Substances Division

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Certification of suitability to Monographs of the European Pharmacopoeia

SUSPENSION OR WITHDRAWAL OF A CERTIFICATE OF SUITABILITY

For implementation	May 2011
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This document describes the policy of the EDQM for suspension or withdrawal of a certificate of suitability (CEP) granted in accordance with the prescriptions of Resolution AP-CSP (93) 5 of the Council of Europe, as amended.

1. **DEFINITIONS**

- **CEP**: Certificate of suitability to the monograph of the European Pharmacopoeia, granted by EDQM
- **Suspension**: Temporary cancellation/invalidation of a granted CEP. Under certain conditions, the CEP may be restored.
- **Withdrawal**: Definitive cancellation of a CEP made either upon request from the holder of the CEP or by the EDQM.
- **Internal Decision Board**:

The Internal Decision Board is a board within the EDQM Certification Division (DCEP) composed of at least one inspector from the EDQM, at least one officer from the EDQM involved in the evaluation of CEP applications and the Head of the EDQM Certification Division. This board makes proposals to the Ad hoc Committee on actions to be taken regarding granted CEPs or CEP applications, either when an application is not in compliance with the requirements of the procedure or in the case of the negative outcome of a GMP inspection.

- **Ad hoc Committee**:

The Ad hoc Committee is a board appointed to decide on actions to be taken on granted CEPs or on applications for CEPs and on information to be circulated to the relevant authorities in the framework of CEP applications and/or the EDQM inspection programme.

It is composed of at least one officer from the EDQM involved in the relevant CEP application or one inspector involved in the relevant EDQM inspection, the Director of the EDQM, the Head of the EDQM Certification Division and at least 2 representatives of competent licensing and supervisory authorities that take part in the Certification procedure (typically members of the Technical Advisory Board).

- **Hearing**
A hearing provides an opportunity to an applicant or the holder of a CEP to state their case if they decide to appeal the decision taken by the EDQM regarding the validity of a CEP, and/or an application for a CEP, either in the context of the EDQM inspection programme or in the context of the evaluation of a CEP application.

2. **SCOPE**

This policy is applicable but not limited to the following situations:

- Suspension of a CEP:
The EDQM may decide to suspend a CEP in the following situations:
 - Inspection of a company carried out in the framework of the EDQM Certification scheme showing critical and/or major deficiencies leading to the conclusion that the company does not operate in compliance with EU-GMP, and/or showing that manufacture does not comply with the dossier submitted for the CEP application
 - Inspection of a company carried out by an inspectorate of a European Economical Area (EEA) member state or a country with which the EU has a Mutual Recognition Agreement on GMP inspections (MRA), leading to the conclusion that the company does not operate in compliance with GMP, and where the company has submitted CEP application(s), for which the validity is likely to be affected by the conclusions of the inspection
 - Refusal by a company to be inspected in the framework of the EDQM Certification scheme: the holder does not fulfil its commitment of willingness to be subject to an inspection
 - A CEP application is not in compliance with the requirements of the procedure and the holder has not submitted suitable information to maintain it.

The suspension of a CEP may also be requested by the holder of a CEP, e.g. in the following situation:

- when the holder is not able to fulfil the manufacturing commitments of the submitted CEP application and/or is not in compliance with GMP, typical examples being temporary cease of production, upgrade of the site, partial destruction.

A suspension is limited in time for a period of 2 years. Failure to meet the conditions to lift a suspension leads, if no justified extension of the suspension has been requested by the CEP holder and accepted by EDQM, to the final withdrawal of the CEP.

- Withdrawal of a CEP:
A CEP may be withdrawn:
 - by the holder of the CEP due to, for example, cease of production, closure of the site, or because the CEP is no longer of interest.
 - by the EDQM, for example in the following situations:
 - After an EDQM inspection, in cases where urgent action needs to be taken (public health issue) and no corrective actions are possible
 - After a suspension, when the company is not able to fulfil the requirements of the CEP procedure with regards to the updating of the application and compliance with GMP (this covers eg. a re-inspection having a negative outcome)
 - A CEP is not in compliance with the requirements of the procedure and the holder is not able to provide suitable information to maintain it
 - A company holding the CEP does no longer exist or has definitively stopped the production of the substance without informing the EDQM.

A CEP that has been withdrawn cannot be restored. A new application has to be submitted and will be treated as such.

Note:

A CEP reaching the 5-year validity period for which the holder has not submitted a request for renewal or for which the holder does not wish to renew it expires automatically and is therefore cancelled at the date of expiry. This case is considered out of the scope of this procedure.

3. DECISION-MAKING PROCESS

- Suspension of a CEP

The proposal/request for suspension of a CEP must be justified:

- When proposed by the holder of the CEP: by a letter sent to the EDQM asking for a suspension, explaining the reasons for the request and proposing a timetable for the restoration.
- When requested by the EDQM Certification of Substances Division in the situations described in point 2 (Scope): by a justified proposal from the relevant scientific officer or inspector.

In both cases, the Internal Decision Board reviews the request for suspension and any supportive information and submits proposals of actions to be taken to the Ad hoc Committee. The Ad hoc Committee decides on the invalidation of the relevant CEP(s), as well as on the conditions for restoration and information to be forwarded to the relevant authorities.

The holder of the CEP is notified and given the justification of the decision (e.g. list of critical and major deficiencies), the length of suspension and the conditions for restoration. The holder is also informed of the possibility to appeal (described below).

- Withdrawal of CEP

The proposal/request for withdrawal of a CEP must be justified:

- Either by a letter from the holder of the CEP to the EDQM asking for the withdrawal of the CEP and explaining the reasons of the request.
- When initiated by the EDQM Certification of Substances Division in the situations described in point 2 (Scope), by a justified request from the relevant scientific officer or inspector.

When the holder of the CEP asks for withdrawal and where there is a potential risk for public health or GMP non-compliance, the Internal Decision Board reviews the request for withdrawal and any supportive information, and then may submit proposals of actions to be taken to the Ad hoc Committee. The Ad hoc Committee then decides on the invalidation of the relevant CEP(s), and information to be forwarded to the relevant authorities.

When the request for withdrawal is initiated by the EDQM, the Internal Decision Board reviews the data. If there is a potential risk for public health or GMP non-compliance, proposals of actions to be taken are submitted to the Ad hoc Committee. The Ad hoc Committee then decides on the invalidation of the relevant CEP(s), and information to be forwarded to the relevant authorities. The holder of the CEP is notified and given justification of this decision (e.g. list of critical and major deficiencies), and informed of the possibility to appeal (described below).

4. POSSIBILITY OF APPEAL WITH THE EDQM

In any case when the EDQM decides to withdraw or suspend a CEP, the holder is given the possibility to request a hearing to appeal the EDQM decision with the Ad hoc Committee. The possibility and the conditions for an appeal are mentioned in the letter of notification sent by the EDQM.

The holder or intended holder of the CEP should ask for a hearing in writing, for a reconsideration of the decision. The request should include the reasons for the appeal, demonstrating that the decision was questionable, based on a justification supported by facts or figures. The request has to be submitted within 1 month after receipt of the notification of the decision taken by EDQM.

5. INFORMATION OF CUSTOMERS AND REGULATORY AUTHORITIES

Once a CEP has been suspended or withdrawn, the holder must inform its customers of the situation to allow them to take responsibility with regard to the concerned substance and any related marketing authorisation or marketing authorisation application.

In case of a suspension, whoever has initiated it, or in the case of a withdrawal by the EDQM, the relevant authorities of the member states of the Convention on the Elaboration of a European Pharmacopoeia as well as the countries with which special agreements have been made are informed by the EDQM to enable them to take appropriate actions regarding the marketing authorisations or marketing authorisation applications which make reference to the respective CEP(s).

The relevant status of the CEP (suspended or withdrawn) is published in the Certification database available on the EDQM website.

6. EXTENSION OF SUSPENSION

A CEP is suspended for 2 years. In exceptional cases the suspension may be extended, provided the holder of the CEP submits a justified request for extension, for review by the Internal Decision Board, before the end of the 2-year period.

The extension of suspension may be accepted, but if the situation cannot be positively resolved, the EDQM may decide to withdraw the CEP as described in 3 above.

7. RESTORATION OF A SUSPENDED CEP

After a suspension, a CEP may be restored as soon as the conditions for lifting the suspension are met by the CEP holder. In this case, a revised CEP is granted, which supersedes the suspended one. The CEP appears as valid in the public Certification database, with its new revision number.