

## **Certification of Substances Division**

HB/CB

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## **Certification of suitability to Monographs of the European Pharmacopoeia**

### **TERMS OF REFERENCE**

Adopted by the Steering Committee Members	January 2009
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## 1. INTRODUCTION

The procedure for certification of suitability of the monographs of the European Pharmacopoeia as defined in the Resolution AP-CSP (93) 5 as amended, is based on the participation of the following bodies and people:

- Steering Committee (SC)
- Assessors
- Inspectors
- Technical Advisory Boards (TAB)
- Certification Division of the EDQM (DCEP).

## 2. THE PARTNERS IN THE PROCEDURE

Independence and impartiality are fundamental principles imposed on any public authority or institute, or any persons working for those bodies with a public health duty. The people who participate in the Certification Scheme acquire this status, and their ethical principles and impartiality are essential elements of the quality, legitimacy and credibility of the system. This is also highlighted in Resolution AP-CSP (93) 5 as amended, which establishes in particular that the assessors who will examine the application for a certificate of suitability (CEP) will be persons without direct or indirect interests that may compromise the protection of the trade confidential information they have access to. This applies equally to inspectors participating in the inspections of related manufacturing sites as well as to any person participating in the Certification scheme.

### 2.1. The Steering Committee (SC)

#### 2.1.1 Composition

The composition of the Steering Committee should reflect the authorities involved in the certification procedure, such as European licensing authorities and inspectorates, and representatives of the member states of the Convention on the Elaboration of a European Pharmacopoeia. Members of the SC are:

- The Chair of the CHMP / CVMP Quality Working Party (QWP);
- The Chair of the CHMP Biologics Working Party (BWP);
- The Chair of the CVMP Immunologicals Working Party (IWP);
- The Chair of the Herbal Medicinal Products Committee (HMPC);
- The Chair of the GMP/GDP Inspectors Working Group (GMDP IWG);
- A representative of licensing authorities from a country that is a member of the Convention on the Elaboration of a European Pharmacopoeia, but not member of the EU/EEA and which actively participates in the Certification Scheme by sending assessors;
- A representative of an inspectorate from a country that is a member of the Convention on the Elaboration of a European Pharmacopoeia, but not member of the EU/EEA and which actively participates in the EDQM inspection programme;
- The Chair of the European Pharmacopoeia Commission;
- The Chairs of the Technical Advisory Boards (TAB);
- A representative of the European Commission (Brussels) (from the Pharmaceutical Unit);

- A representative of the EMEA;
- The Director of the European Directorate for the Quality of Medicines & HealthCare (EDQM);
- Expert(s) from relevant authorities who can be co-opted by the SC, as necessary.

The members of this committee may propose an alternate to replace them in exceptional cases where they cannot attend a meeting.

The SC can accept the presence of representatives of a country/organisation as observer in the context of facilitating/developing the recognition of the CEP procedure. The extent of this participation is to be defined by the SC case by case and as defined in a document listing criteria for observership.

#### *2.1.2 Nomination and appointment*

Except co-opted experts and representatives of “non EU countries”, the SC members are not elected/nominated but are constitutive members by their status and title. As any participant in the Certification procedure, they must declare their acceptance of the Code of Practice for the Certification Procedure.

The mandate of appointed members of this committee (co-opted experts and representatives of “non EU countries”) is for 3 years, renewable once. Representation of the “non EU/EEA countries” should preferably be on a rotation basis. Appointments should preferably be made by consensus. If no consensus can be reached, a secret ballot is held where the simple majority of members present decides.

The SC appoints a Chair for three years, renewable once, amongst its members. The appointment should preferably be made by consensus. If no consensus can be reached, a secret ballot is held where the simple majority of members present decides. In the absence of the Chair from a meeting, the SC shall elect an acting Chair from amongst its members.

#### *2.1.3 Quorum*

The deliberation/decisions of the SC shall be valid only if half of the members plus 1 participate (even via tele/videoconference).

#### *2.1.4 Role*

This committee is in charge of:

- Monitoring the procedure;
- Giving appropriate advice on all regulatory or administrative problems associated with the application of the procedure;
- Ensuring that the needs of the licensing authorities, the European Pharmacopoeia Commission and the applicants are satisfied; making proposals for adaptation or updating of current regulations, guidelines, monographs or chapters, as necessary;
- Appointing assessors;
- Deciding on the composition of the TABs and appointing its members and chair;
- Informing the European Pharmacopoeia Commission and the CHMP/CVMP/HMPC and the relevant EMEA Working Parties/Groups of any relevant issue;
- Advising the EDQM as required;
- Adopting the guidelines/policy documents within the Certification procedure
- Adopting the EDQM inspection programme.

The SC sets up its rules of procedure.

## **2.2 The assessors**

### *2.2.1 Definition*

They are scientists with professional experience in assessment of marketing authorisation or CEP applications, belonging to or advising competent authorities responsible for the evaluation of marketing authorisation applications or to Official Medicinal Control Laboratories (OMCL), or scientific administrators belonging to the EDQM Certification of Substances Division (DCEP). They have appropriate qualifications for the evaluation of dossiers in one of the fields covered by the Certification Procedure. These qualifications are evaluated on objective criteria.

### *2.2.2 Appointment*

Assessors are proposed by the relevant authorities and are appointed by the Steering Committee for a period of three years, renewable. A curriculum vitae provided to the EDQM shall underline their experience in the field of the evaluation of dossiers and their impartiality; any conflicts of interest must be declared using the declaration of acceptance of the Code of Practice for the Certification Procedure.

The same procedure applies to the appointment of scientific administrators belonging to the DCEP when they are proposed by EDQM.

A list of the current assessors is regularly up-dated and published by the EDQM.

At the end of the period of appointment the mandate of each assessor expires, unless a renewal is requested by their respective authority <sup>1</sup>, the SC decides on any request for re-appointment.

In case an assessor has not participated in any assessment session for more than 2 years without justification (eg. illness, leave...) he/she will not be eligible for renewal for the next term.

### *2.2.3 Role*

The assessors perform the scientific assessment of applications submitted by manufacturers and draw up an evaluation report in three parts, as described in the Resolution AP-CSP (93) 5 as amended and in the guidelines for evaluation report for the Ph Eur Certification Scheme.

## **2.3 Inspectors**

### *2.3.1. Definition*

Inspectors taking part in the Certification scheme are:

- officials appointed by the competent supervisory authority of their respective country: member states within the EU/EEA, or countries which have a mutual recognition agreement (MRA) with the EU in the GMP sector to carry out inspections according to Article 111.1 of Directive 2001/83/EC as amended,
- for countries/organisations with which EDQM has set up special agreements, officials appointed by the competent supervisory authority of their respective country or by their organisation to carry out inspections according to their respective legislative framework
- scientific administrators belonging to the EDQM Certification of Substances Division (DCEP) with the qualification specified above.

### *2.3.2 Inclusion in the EDQM inspection programme*

Inspectors are proposed by their competent supervisory authority/organisation to take part in the EDQM inspection programme. The proposal is supported by information on the official status of the person. A curriculum vitae provided to the EDQM shall underline their experience and their impartiality; any conflicts of interest they may have must be declared (using the declaration of acceptance of the Code of Practice for the Certification Procedure).

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<sup>1</sup> The authorities are asked sufficiently early before the date of renewal by the CEP Division for their confirmation

### *2.3.3 Role*

The inspectors take part in the EDQM inspection programme, which is elaborated in the context of the mandate given to EDQM by the European Commission Pharmaceutical Unit in application of the Directives 2001/83/EC and 2001/82/EC, as amended. They inspect the manufacturing sites referred to in CEP applications or granted CEPs, write inspection reports and are in charge of any necessary follow-up actions including the issuance of GMP certificates or of information of non-compliance (the latter responsibility being only applicable to inspectors nominated by the competent supervisory authorities of EU/EEA member states).

## **2.4 The Technical Advisory Boards (TAB)**

### *2.4.1 Definition*

A TAB is set up in each scientific/technical field of the Certification Procedure where a need is identified. The board can be created as necessary upon approval by the SC.

### *2.4.2 Composition*

The TABs are composed of members from the list of appointed assessors and are representative of the needs of both the licensing authorities and the European Pharmacopoeia Commission.

The TABs are formed of three to ten members from different countries/agencies/organisations, and may include EDQM assessors. Members are proposed by their relevant authorities and are appointed by the SC for a period of 3 years, renewable twice. The Chair and, if necessary, the vice-Chair are elected by the SC for a period of three years, renewable twice. If there is more than one candidate, the Chair and vice-Chair are elected by simple majority of the members present. The appointment of members and election of the Chair and Vice-Chair take place during the last SC meeting of the year (September/December) or by correspondence.

In case of absence at all meetings and evaluation sessions for more than one year without proper justification (eg; illness, temporary leave,...) a TAB member will not be eligible for renewal for the next term. Any exception shall be submitted for approval to the SC.

In the absence of the Chair and vice-Chair from a meeting, the TAB shall elect an acting Chair from among its appointed members.

Inspectors, observers or experts may be invited to participate in part(s) of a TAB meeting to discuss specific items.

### *2.4.3 The role*

The primary task for the relevant TAB is to assist the assessors and the Certification Division in decisions on technical matters and in case of doubt or disagreement between assessors. Whenever possible, the relevant TAB should ensure consensus in the outcome of discussions with assessors and the Certification Division. However, if this is not possible, the final decision is the sole responsibility of the relevant TAB. Such decisions and their justification will be kept in writing.

If the Division and/or the TAB in their respective areas of work become aware of problems within the Certification procedure which are not addressed in the Resolution AP-CSP (93) 5 as amended or the guidelines for evaluation, they will prepare a note highlighting the problem and seek further advice from the SC and, if relevant, the concerned licensing and/or pharmacopoeial authorities. Specific guidance for the assessors may be drafted on request and, if necessary, a proposal for amending the Resolution and/or any document concerned will be prepared.

The TAB is consulted at the request of the Certification Division and/or the assessors and elaborates technical documents (such as guidelines for the evaluation report), amendments or up-dates to be submitted for adoption by the SC.

TAB members also take part in hearings with applicants, when the decision is made not to grant a CEP because the information submitted in the application does not demonstrate compliance with the requirements of the procedure and where the applicant has appealed the decision, according to Resolution AP-CSP (93) 5 as amended.

#### *2.4.4 Quorum*

The deliberation/decisions of the TABs shall be valid only if half of the members plus 1 are present.

### **2.5. The Internal Decision Board (IDB)**

The Internal Decision Board is a board within the EDQM Certification Division (DCEP), composed of at least one inspector from EDQM, at least one officer from EDQM involved in the evaluation of CEP applications and the head of DCEP. This board:

- confirms positive outcomes as well as further actions for inspections carried out in the framework of the EDQM inspection programme
- makes proposals to the Ad'Hoc Committee on actions to be taken regarding granted CEPs or on CEP applications in the framework of the Certification procedure and in the case of EDQM inspections having a negative outcome.

### **2.6. The Ad'Hoc Committee**

The Ad'Hoc Committee is a board, appointed to take decisions on actions to be taken regarding granted CEPs or on CEP applications, and on information to be circulated to the relevant authorities, in the framework of the Certification procedure and/or the EDQM inspection programme.

It is composed of at least one officer from EDQM involved in the relevant CEP application or one inspector involved in the relevant inspection, the director of EDQM, the head of the EDQM Certification Division, and as needed at least 2 representatives of competent licensing and supervisory authorities that take part in Certification procedure (typically TAB members).

### **2.7 The EDQM Certification Division (DCEP)**

#### *2.7.1 Definition*

The Secretarial support for the Certification Procedure is provided by the EDQM Certification Division (DCEP).

#### *2.7.2 Role*

The Certification Division:

- is in charge of administration, co-ordination and execution of the procedure including:
  - handling and follow-up of the dossiers,
  - notifying the applicants of the conclusions of the assessment,
  - ensuring consistency of the assessment reports for similar products and consistency with the policy of the procedure,
  - assisting the assessors in their evaluation,
  - participating in the assessment of dossiers in collaboration with the relevant assessors,
  - establishing the inspection programme in collaboration with the relevant competent supervisory authorities
  - organising and participating in inspections according to the approved programme

- shall liaise with the relevant national authorities (including inspectorates) and, where applicable, with European Institutions and international organisations and with Marketing Authorisation Holders, manufacturers and industry associations in general within the framework of the activities related to the certification procedure;
- shall prepare and when necessary propose amendments to existing documents or creation of new documents in relation to the Certification Procedure; shall submit these documents to the SC, with prior approval of the relevant TAB when necessary (technical documents);
- shall inform EDQM EDP (European Pharmacopoeia Department) of any need for revision of the Ph. Eur. Monographs;
- shall forward any proposal of the SC concerning amendments of regulations, notes for guidance,... to the appropriate bodies.
- shall organise with the Public Relations Division & Documentation of the EDQM any specific meetings or scientific symposia, in particular to promote and explain the procedure;

When relevant, the Certification of Substances Division is assisted by other EDQM services for specific analysis of samples or advice on the status and content of the monographs.

### **3. MEETINGS**

#### **3.1. The Steering Committee**

It meets normally at least once a year and upon invitation, when necessary. The detailed summary of decisions and any relevant documents shall be circulated to the members of the committee for approval within 5 weeks after the date of the meeting. When approved, the detailed summary of decisions is sent to the TABs, and any other person/group concerned, if necessary.

#### **3.2. The TABs**

Each TAB meets one to three times a year and upon invitation, when necessary.

Within 5 weeks respectively of the date of the meeting, the summary of decisions, the minutes and any relevant documents shall be circulated to all members of the TAB for approval. They are sent to the Steering Committee, to all assessors of the Certification procedure, and to any other concerned person/group if necessary.

#### **3.3. The assessors**

The Certification Division invites the relevant assessors for the evaluation of applications as often as needed, depending on the availability of the assessors and on the number and the specificity of the applications received and in order to cope with the timetable set down in the Resolution AP-CSP (93) 5 as amended.

On the decision of EDQM or upon TAB proposal, meetings with all the assessors may be organised to discuss or present new policies.

#### **3.4. The Inspectors**

The Certification Division invites the relevant inspectors for carrying out the inspections, depending on the availability of the inspectors and in order to cope with the EDQM programme or any urgent need identified in the framework of the Certification procedure or by the national supervisory authorities, European institutions or international organisations (eg in the context of specific cooperation programmes).

### **3.5 The Internal Decision Board**

The Internal Decision Board meets as necessary and at least after each campaign of inspections carried out by EDQM.

### **3.6 The Ad'Hoc Committee**

The Ad'Hoc Committee meet as necessary, generally by teleconference.

## **4. RELATED DOCUMENTS**

Resolution AP-CSP (93) 5 as amended

Code of Practice for the Certification Procedure PA/PH/CEP (02) 4 as amended