



Procedure for Orphan Medicinal Product Designation – General Principles

Introduction

Regulation (EC) No 141/2000 of 16 December 1999 lays down a community procedure for the designation of medicinal products as orphan medicinal products and the criteria for designation of orphan status.

The Regulation establishes the Committee for Orphan Medicinal Products (COMP), within the EMEA, which is responsible for examining all applications for orphan medicinal product designation submitted to it in accordance with the Regulation.

Objectives

In examining an application for orphan medicinal product designation the Committee will focus on determining whether the sponsor has established that the designation criteria are met, i.e:

- the life-threatening or debilitating nature of the condition;
- the medical plausibility of the proposed orphan indication;
- that the prevalence of the condition in the Community is not more than five in 10,000; or
that it is unlikely that marketing the medicinal product in the Community, without incentives, would generate sufficient return to justify the necessary investment;
- that no satisfactory method of diagnosis prevention or treatment exists, or if such a method exists, that the medicinal product will be of significant benefit to those affected by the condition

In order to assist in the development of a policy on orphan medicinal products, an expert network will be built up by the Committee, with expert(s) identified as appropriate to be involved in the evaluation of applications for orphan medicinal product designation. Where necessary, information on the clinical setting for treating a particular condition in each of the Member States will be gathered from Committee members and patient organisations.

General Principles

Pre-submission

- Sponsors should notify the EMEA of their intention to submit an application as early as possible, and at the latest two months prior to the planned submission date.
- In preparing an application for orphan medicinal product designation, sponsors are requested to follow the Commission guideline (ENTR/6283/00) for the format and content of applications for designation as orphan medicinal products, available on the EMEA and Commission web-sites.

EMEA strongly recommends the use of the common EMEA/FDA orphan application form available on the website to apply for orphan designation (http://www.emea.europa.eu/pdfs/human/comp/EMEAFDA_Application_Form_for_Orphan_Medicinal_Product_Designation.doc).

If an application has not been submitted before to the FDA, the EMEA encourages the sponsor to seek orphan designation from the FDA in the context of the EMEA/FDA collaboration. The EMEA believes this is in the benefit of the development of orphan drugs for rare diseases.

- Two or three co-ordinators (1 or 2 COMP members, 1 EMEA staff member) will be appointed for each application.
- COMP members will be invited to propose experts to be involved in the evaluation as appropriate. The Committee may appoint one or more experts from the EU expert list to be involved in each application, in addition to the co-ordinators, as appropriate.

Submission of the application

- The sponsor will submit the application to the EMEA (1 original + 2 electronic copies in CD-ROM). Deadlines for submission will be published.

Validation

- The EMEA Secretariat will complete the validation. Where major validation issues arise, the EMEA co-ordinator will liaise with the COMP co-ordinator(s), and experts if necessary, to resolve them.
- In order to synchronise each evaluation with the meetings of the Committee for Orphan Medicinal Products (COMP), validation dates (Day 1, start of the procedure) will be fixed.
- In the event that the EMEA requires additional data, information or clarification to complete its validation, the sponsor will be contacted and asked to respond within a 3-month time limit. If no response from the sponsor is received within this time frame, the sponsor will be asked to submit a new complete application.
- Once the validation process is successfully completed, a time-table for the evaluation will be adopted. The EMEA will immediately forward a copy of the application to all COMP members.

Evaluation

- During the evaluation phase the EMEA co-ordinator will work very closely with the COMP co-ordinator(s) and appointed expert(s). Teleconference/video conferences or meetings at the EMEA will be set up as necessary.
- The co-ordinators may gather information from Committee members on the disease state, availability of treatments, research status, etc.
- The EMEA co-ordinator, in association with the COMP co-ordinator(s), will prepare a summary report on the application. The summary report will include data reported in the Sponsor's application, a critical review, and a conclusion. Where there is a need for written/oral explanation from the sponsor, this will be highlighted in the summary report. In this case, the report will identify the main issues to be addressed by the sponsor.
- Following agreement between the EMEA co-ordinator and the COMP co-ordinator(s), the summary report will be circulated to COMP members for comments. Members of COMP will forward comments to EMEA, with other COMP members on copy, in accordance with the adopted time-table.
- At the meeting(s) following circulation of the summary report, COMP will discuss the application together with comments raised. Where possible the expert(s) involved in the application will be invited to attend the COMP discussion.

Opinion

- Before day 90, the COMP adopts its opinion (in English).
- If a negative outcome of the review of the application appears likely the sponsor may be invited for an oral explanation before the COMP prior to adoption of the opinion. The Co-ordinators will prepare a document highlighting the points of disagreement and requests for clarification.
- The opinion may be obtained during a COMP meeting or by written procedure. The COMP opinion, which may be favourable or unfavourable, is, wherever possible, reached by consensus.

If such consensus cannot be reached, the opinion shall be adopted by a majority of two-thirds of all COMP members (i.e. at least 22 members as of 1 January 2007).

- The EMEA, taking into account the discussion within the COMP and the conclusions reached, will revise the summary report, which once adopted by the COMP will become the COMP assessment report.

Follow-up to the COMP Opinion

- The EMEA will forward the opinion to the Commission and the sponsor.

Appeal

- In case of a negative opinion, the sponsor may appeal.
- The grounds for appeal must be forwarded to the EMEA within 90 days of receipt of the opinion.
- The EMEA will refer the grounds for appeal to the COMP, who will consider whether its opinion should be revised at the first meeting following receipt of the grounds for appeal.

Decision Making

The Decision will be adopted by the Commission, within 30 days of its receipt of the opinion.

Publication in the Register

Upon a favourable decision by the Commission, the designated medicinal product shall be entered in the Community Register of Orphan Medicinal Products.