### National Regulatory Conference 2015 4 August 2015

Report on ASEAN Harmonisation and Malaysian Regulatory Updates

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# **Presentation Outline**

- ASEAN Harmonisation Updates
  - Pharmaceutical Products (PPWG)
  - Traditional Medicines & Health Supplement (TMHS)
- Malaysian Regulatory Updates
- Future Plans

#### **Changes in Top Management of NPCB**



ASEAN Sectoral Mutual Recognition Arrangements (MRA) for Bioequivalence Study Reports

- Currently 3rd. Draft MRA
- •Timeframe for finalization of the BE MRA:
  - National consultation on 3<sup>rd</sup> Draft until 31 July 2015
  - Workshop and Inter-Sessional Meeting and finalisation of 4th. Draft: 24-27 August 2015
  - Endorsed of 4<sup>th</sup> Draft by PPWG : December 2015
  - Legal review at national & ASEAN level : Jan-Mac. 2016
  - Submission to ACCSQ and SEOM for endorsement : April 2016
  - Signing by ASEAN Economic Minister : 2nd. half 2016.

#### Main Components of BE MRA

#### Accreditation of BE Centres in ASEAN Countries

- Inspection Format
- Panel of Experts
- Experts from AMS
- BE Study Reports
  - ASEAN BE Guidelines
  - Accepted & Evaluated by individual AMS
- Proposed Date of Implementation: 2020

#### ASEAN GMP MRA – Impact on Malaysia

> Thailand accepted in ASEAN GMP MRA: 12 March 2015

- > Presently 4 members : Indonesia, Malaysia, Singapore & Thailand
- > GMP Inspection Reports by Thai FDA recognised : 12 March 2015
- > Conditional renewal of registration of products from Thailand:
  - Commitment letter by Thai FDA to do GMP inspection within 6 months
  - > GMP inspection report/certificate submitted to NPCB before 1 October 2015

#### ACTD/ACTR for Biologics

- In process of development
- Status quo on flexibility on using ICH CTD format

#### Single Dossier Project

- Project is being reviewed -> scope, mechanism etc
- Independent body WHO
  - Country assessment

#### Country Specific Requirements

Vietnam will revise survey template and circulate to Member States, APC and APRIA for comments

## **TMHS-PWG Updates**

- The following guidelines have been adopted:
  - > ASEAN Guiding Principles for the use of Additives and Excipients
  - > ASEAN Guidelines on Limits of Contaminants
  - > ASEAN Guidelines for Minimising the Risk of Transmission of Transmissible Spongiform Encephalopathies
  - > ASEAN Guidelines on Stability and Shelf-Life
  - >ASEAN Guidelines on Claims and Claims Substantiation
  - >ASEAN Guiding Principles on Safety Substantiation

#### Still in discussion stage:

> ASEAN Guiding principles for Inclusion into or Exclusion from the Negative List of substances for TMHS

## **TMHS-PWG Updates**

# Development of an ASEAN Regulatory Framework for TMHS : Key activities and timelines

- i. National consultation completed by 30 August 2015.
- ii. Finalisation and endorsement of draft Agreements and Annexes by TMHS-PWG by February 2016.
- iii. Legal scrubbing by LSAD by June 2016.
- iv. Endorsement of Agreement by TMHS-PWG by June 2016.
- v. Endorsement by ACCSQ by September/October 2016.
- vi. Endorsement by SEOM by November 2016.
- vii. National approval : November 2016 January 2017.
- viii. Signing by AEM (AMS) by February 2017

#### Medical device and pharmaceutical combination products

- All products under this category will be either classified as medical device under purview of MDB or pharmaceutical product under purview of NPCB according to their mechanism/mode of action of its principal function
- Combination products will be evaluated by both MDB and NPCB but regulated by the agency according to its classification.
- Transition period for registration of medical devices has been extended to July 2016

#### Application for third source in manufacturing for pharmaceutical products.

- Not allowed for pharmaceutical products (except biologics) except on a special case basis (eg emergency situations)
- Suffix 'S' will be used at the end of the MAL number for third source products

#### Registered products that will not to be renewed

Registered products that have been reclassified as food or medical devices.

#### Graphic differences on labels of products of different packaging sizes.

For variation applications, applicants must ensure standardized graphics are used on labels of products with the same ingredients and strength of active ingredient even though packaging sizes may differ.

#### Registration for Products in Vials and Prefilled Syringes

- Separate registration applications must be submitted for vials and prefilled syringes
- Prefilled syringes
  - Combination product: evaluation as a medical device & drug

#### Registration of psychotropics and dangerous drugs

Require supporting letter from Pharmacy Enforcement Division before submitting for registration.

#### 'Convenient packs' for OTC products

- > Applications considered on case to case basis
- Company to submit variation application MiV-PA32 : Change of Outer Carton Pack Sizes for a Drug Product and fulfill the requirements in DRGD 16.5 Application for a Convenient Pack.

- Usage of Negative Statements on Product Labels
  - Usage of positive statements only. E.g. Genetically Modified Organism (GMO) Free / Non-GMO → not allowed on product label.

#### Updates on the Drug Registration Guidance Document (DRGD)

➤ Will be updated twice a year → January & July

#### Biotech and NCE Product Registration

- > Biotech & NCE product registration applications
  - > Evaluation of Analytical Method Validation & Protocol of Analysis by the Center for Quality Control (PKK) is required

#### Requirement for Stability Studies Data at Zone IVb for Registration Renewal.

Bil.	Perkara	Keputusan
1.	•	Stability studies data that are submitted with variation applications for storage condition and shelf life must fulfill the requirement in the ASEAN Variation Guideline (AVG) and Malaysia Variation Guideline (MVG), i.e. full real time stability study data for Zone IVb.
2.	Stability data conducted at 30ºC/ 70%RH	Stability studies carried out at $30^{\circ}C/70\%$ RH is acceptable as this temperature and humidity is still within the range of <b>Zone IVb</b> ( $30^{\circ}C \pm 2^{\circ}C/75\% \pm 5\%$ RH)
3.	Shelf life claim (Same as item no. 1).	<ul> <li>An extrapolation of shelf life claim based on minimum stability studies data will not be accepted.</li> <li>Full real time stability study data for Zon IVb as stated in the AVG and MVG need to be submitted for variation applications for storage condition and shelf life.</li> </ul>
4.	below 25°C" for existing products found unstable	No exceptions from the stability requirements at Zone IVb for registered products that are found to be unstable in Zone IVb if there are other registered products with the same active ingredient found to be stable in the same Zone. In this case, the product registration holder is to change the formulation so that the product is stable in Zone IVb.
5.	-	"Bracketing" as stated in the ASEAN Stability Guideline (5 <sup>th</sup> Draft) is acceptable for evaluation of stability studies data at Zone IVb.

- Stability Studies (Zone IVb) for currently Registered Products for renewal
  - Extended to 31 Disember 2015
  - Products found not stable at 30°C (API stable)
    - > To be reformulated and new stability study data to be submitted
- Suffix 'C' for Products of 'Sister Companies' and Subsidiaries
  - The product registration holder company that gives the manufacturing contract to a 'sister company' or a subsidiary can register the product without suffix 'C'

#### Change of Registered Product to For Export Only

- > Administrative process without cancellation
- Submit application with fee

#### Manufacturer, Importer and Wholesaler License

Timeline: 4 working days upon receipt of complete application

#### Products with Conditional Registration

Registration will be suspended if applicant fails to submit the required documents/samples within the time agreed upon

- Requirement for brand name on generic products.
  - DRGD Appendix 11 : Subappendix 11.2.1 STEP 1: PRODUCT VALIDATION :
    - [1] Product Name: The generic name cannot be used alone as product name but in combination with another name other than generic name.
    - Example: Mefenamic acid capsule (x),

ABC Mefenamic acid capsule ( $\sqrt{}$ )

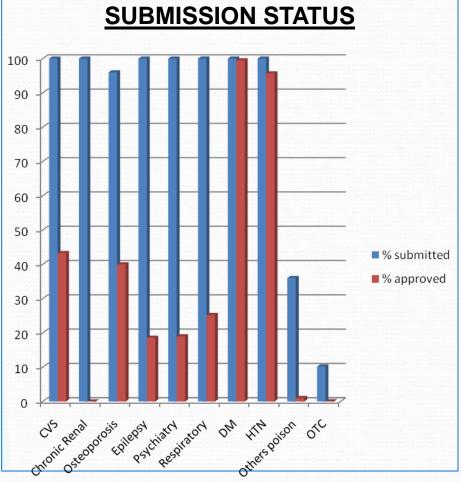
- RiMUP (Patient Information Leaflet)
  - I Sept 2014 onwards, all approved RiMUP will have a serial number starting with a code R.

#### **Consumer Medicine Information Leaflets** *Risalah Maklumat Ubat untuk Pengguna (RiMUP)*

Available on <u>www.bpfk.gov.my</u> for download by Consumers or Healthcare professionals

- Requirement effective 1 April 2011
- Compulsory for self-administered products
- Available in Bahasa Malaysia and English





# Regulatory action taken on companies involved with adulteration:

#### • First offence:

- Cancellation of product registration as well as product recall from the market for the product involved.
- Minimum 6 month revocation of manufacturer's license
- All registration activities frozen for 6 months

#### **Repeat offence:**

- Cancellation of registration as well as product recall from the market for the product involved.
- Cancellation of all registered products from the offending manufacturer/holder.
- Revocation of manufacturing, importing and wholesale license (if applicable)

- Punitive Action on Product Registration Holders (PRH) that cannot be contacted or fail to give feedback to NPCB
  - PRH legally responsible for all issues related to their product and must update NPCB on any changes in their contact information – Name, Address, Tel. & Fax Number, e-mail address etc
  - Products Registration Suspended: If uncontactable after 6 weeks from first attempt
  - Products Registration Cancelled: If uncontactable after
     6 months from first attempt

- The DCA in its 284<sup>th.</sup> meeting (January 2015)
  - Implementation of Bioequivalence (BE) Requirements for Generic Products in Tablets/Capsules:
    - Oral Effervescent Dispersible
    - Sublingual

• Orodispersible

Buccal

- Chewable
- **Implementation dates:** 
  - > New application : 1<sup>st</sup> July 2016
  - $\succ$  Registered products : Expiring from 1<sup>st.</sup> July 2017
  - Circular Bil. (27)dlm.BPFK/PPP/07/25 dated 27<sup>th.</sup>February 2015

#### A biowaiver may be granted based on:

- Biopharmaceutics Classification System (BCS)- List A
  - Subjected to the completeness and fulfillment of the requirements
- Unavailability/inaccessibility of comparator/innovator List B
  - Comparator/innovator product is no longer available in Malaysia, and
  - Fulfills ALL the criteria approved by DCA such as:

Innovator registered before 1999 (Implementation of BE)

> No comparator available according to ASEAN Selection Criteria

>ASEAN Selection Criteria cannot be used

•Other considerations (List C)

Products with local effect and no significant systemic absorption

### Vaccines: Lot Release and Cold

# **Chain Inspection**

- Implementation for all vaccines : 1 Jan 2015
- Common problems encountered :-
  - Electronic temperature device is not included in each shipping cartons
    - Expired data logger being used during transportation
    - Some of data logger was not activated
    - Incomplete data logger temperature recording
  - Inability of product registration holder to submit documents on transportation and packing validation to support temperature excursion
  - > Poor compliance on timeline for documents submission
  - Deviation in amount stated in VLR application form
  - Information of vaccines not updated in NPCB's Database

### **API - Reminder**

- Control of API in registered pharmaceutical products containing scheduled poisons (all dosage forms)
  - Products with registrations that expire 1<sup>st</sup> January 2020 onwards.
    - Submit documents with the required API information <u>at least 1</u> <u>year</u> before the registration expires.
  - > Implementation date of control of API for new applications:
    - Parenteral dosage form  $\rightarrow$  1 July 2014
    - Oral dosage form  $\rightarrow$  1 July 2016
    - Dosage form other than parenteral and oral  $\rightarrow$  1 July 2018

>Bil (11) dlm BPFK/PPP/01/03 Jld 3

# **GMP Policy Updates**

- Requirement for full time registered pharmacist to head the production section of all pharmaceutical, radiopharmaceutical and veterinary product manufacturing premises registered with the DCA.
  - Pharmaceutical and radiopharmaceutical product (Poison & OTC)
    - Extended 2 years (Effective: 1 January 2017)
  - Veterinary product (Schedule Poisons)
    - Extended 5 Years (Effective 1 January 2020)

### **Veterinary Policy Updates**

- Transfer of Jurisdiction to DVS after enforcement of the Animal Feed Act 2009
  - Veterinary herbal and supplement products - 1 July 2014
  - Medicated Feed 1 January 2015
  - Medicated Premixes without therapeutic claims – 1 July 2015
- DCA to maintain regulatory of all Vet. Products with therapeutical claims including premixes used for therapy

## **Veterinary Policy Updates**

- Animal Feed Containing Scheduled Poison
  - Under jurisdiction of Department of Veterinary Services (DVS).
- Licensing Requirements.
  - Enforced since 1<sup>st</sup> July 2015
  - Only registered products can be:
    - Imported
    - Manufactured

### **FDI Policy Updates**

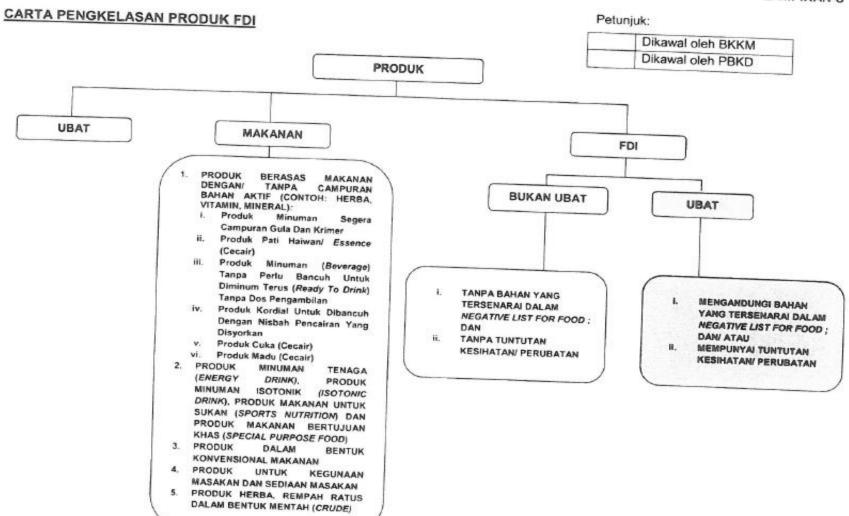
- Grace period to register FDI classified as registrable products
  - Products for Sale in Malaysia
    - 31 December 2014
  - For Export Only (FEO) Products
    - 30 June 2015
  - As of 1 July 2015, all FDI products that are classified as a registrable product must be registered with DCA

# **FDI Policy Updates**

Reclassification of FDI products.

- - Food based products eg. Essense of Chicken, Coffee 3 in 1
  - Beverages eg. Energy & sports drink, special purpose food
  - Conventional food presentation eg. Cakes, gummies, candy
  - Products used in cooking eg Olive oil, cooking oil
  - Raw and Crude herbs & spices
- Products with function and presentation likeness of a pharmaceutical product → Drug
  - Ingredients in Negative List for Food
  - Therapeutic Claims

# **FDI Policy Updates**



LAMPIRAN C

- Submission of Traditional Samples for Testing
  - > Within 14 working day or application will be rejected
- No appeal for sample retesting of pre-registration applications: Effective 1st January 2015
- OTC Products with Traditional Medicines Names
  - Prohibited to use names that will give a 'traditional' image to the OTC products that contain synthetic active ingredients
    - Example: Pagoda Fever Mixture (Not allowed)
    - Recommend: Pagoda Paracetamol Fever Mixture
  - >Implementation Date
    - New Applications: 1 June 2015
    - Products containing Paracetamol/Aspirin: NPCB will contact
    - Others: To be Determined

- Dosage form stated in TMHS product name
  - DRGD, Appendix 11, 11.2.1: Product Validation (1) Product Name:
  - Product name and dosage form shall be entered. (e.g. X Brand Tongkat Ali Tablet)
    - > Dosage form in product name only in QUEST system
    - Not necessary to be in label
  - >New & existing registration applications → effective immediately
  - > Registered products  $\rightarrow$  effective 1 Jan 2016

- Stability studies (Zone IVb requirements)
  - Stability studies other than Zone IVb
  - > Shelf life: 2 years (Status Quo)
- Shelf-life approved as in real time stability data (> 2 years)
  - > 2 batchs at Zone Ivb
  - Accelerated : 6 months
  - Done in Malaysia (exemptions allowed on a case to case basis with valid justification)
  - > Evidence that Active Ingredient is stable
- NPCB will prepare a list of companies / private laboratories that are able to provide commercial stability studies services

- Conditional approval of Change of Site (COS) for traditional medicine
  - > Approval: 7 working days
  - Condition: 6 months from the date of the conditional approval to update product information via variation process
- Outsourcing of Pre-registration Testing
  - Currently in planning stage
  - Testing in Listed Approval Laboratories

#### Enforcing Requirements for Batch Testing

- Tests as stated in DRDG
- Implementation: To be determined

#### Extension of GMP inspection Overseas

- > TMHS manufacturing premises
- Same procedure and charges as for pharmaceutical premises
- Enforced requirements for centralised airconditioning & treated water system for Traditional medicine manufacturers

# **Cosmetic Updates**

- Guidelines for Control of Cosmetic Products in Malaysia
- •To replace the current **Guidelines for Control of Cosmetic Products in Malaysia version MEI 2009 (revo2)**.
- •New information added to the guidelines include:
  - Definition and responsibility of the Cosmetic Notification Holder (CNH)
  - Information on Post Market Surveillance Programme for Cosmetics
  - > Annex I, part 2 Non-permissible product name for cosmetic product
  - Annex I, part 4 Heavy metal and microbiological test limit for cosmetic product

•The new guidelines will be made available on the NPCB's website by September 2015.

# QUEST 3 + Updates

- Development started: March 2015
- Q3+ estimated to be ready in second quarter of 2016
- Status updates and related news in the NPCB website
- Payment online facilities (credit card/bank transfer)
  - MyGovXchange gateway for online payments including FPX (Financial process exchange) and credit card.
  - Corporate/business account only, No personal account.
  - > Rates/processing fees  $\rightarrow$  To be determined.
  - No manual payment.

# QUEST 3 + Updates

- Digital signature concept will be applied.
  - Once submission is made, the data is definite and cannot be modified.
  - > Applicants have the responsibility to check thoroughly and confirm before submission.
  - > Example: LHDN e-filing submission.
- Proposed Implementation Process
  - Suspend all transactions for 1 month
    - > Data migration from Q2 and Q3 needs to be done.
    - > Data Clean up
    - Q2 and Q3 to go offline
    - Possibility of product updating required

# Future Plans

## **Organisation Changes**

- Proposal to transform NPCB to a Independent Body
  - Different models : Statutory Board, etc
  - Feasibility Studies
    - Financial
    - Regulatory Impact
      - Client Charter
      - Stakeholder Engagement
    - Organisation, Legal, Legislative etc
  - Timeline
    - 3 years

# **Policies Under Consideration**

#### Security Labelling

- Usage of Barcoding different systems, worldwide practice
- Engagement with stakeholders
- Implementation in phases
- Timeline : To be determined

#### • GMP

- Review directive on recognition of GMP certificate for overseas facilities issued by participating authorities in PIC/S.
- Currently unilateral recognition
- Multiple Manufacturing Sites for Pharmaceuticals
  - Multiple sites for different activities
  - Regulatory requirements validation, stability etc

All Parenteral Products to be classified as scheduled poisons

### Malaysian Pharmacovigilance

### Guidelines

To replace Malaysian Drug Safety Reporting and Monitoring Guidelines
 2002



- Briefing to representative of association has been carried out in July 2015
   Pharma, MOPI, MAPS, MADSA, PURBATAMA, PERTIM, DSAM, MPHM Persekutuan Persatuan<sup>2</sup> Tabib & Perdagangan Ubat Tionghua.
- Pre Conference Seminar Preparing for Pharmacovigilance Inspection 3 August 2015, NPCB

# Upgrading of Pharmacovigilance Information System

- Web-based system
- Comply to ICH E2B standard
- Integrate with MOH Pharmacy Information System & Clinic Pharmacy System (PHIs/CPS)
- Analyse statistically to detect Safety Signal
- Reporting through QR code with smart phone
- Monitoring submission of PSUR/PBRER
- Real-time reports and statistics

# **TMHS** Products

- Rebranding of Complementary Medicines Section to Complementary and Integrative Medicine Section
  - Traditional Products unit
  - Natural Products Unit
- Variation Considering notification process for minor changes

Health Supplement Unit

- Traditional medicine Indication based on philosophy of use
- New category of products
  - Natural products with high and medium claims
    - Animal / Herbal / Mineral origin
- Studying Classification of FDI products
  - Pharmaceutical Dosage forms
  - Individual Ingredients eg Collagen

# **Designation of Orphan Drugs**

- NPCB tasked with the designation of appropriate products as orphan drug
- Definition: Medicine, vaccine or in vivo diagnostic agent that is intended to treat, prevent or diagnose a rare disease OR not commercially viable to supply to treat, prevent or diagnose another disease or condition.
- SOPs, Flexibilities, Implementation date to be determined

### Cell & Gene Therapy Products (CGTPs)

- 2<sup>nd</sup> draft of Guidance Document and Guidelines for Registration of CGTPs and Good Tissue Practice Guideline being prepared.
- Timelines:
  - Revised draft circulated for comments: September 2015
  - Deadline for comments: November 2015
  - Preparation & Finalisation of 3<sup>rd</sup> Draft : Nov Dec 2015
  - Draft Guidelines presented to the Minister and DCA for approval
  - Implementation Date: To be determined

#### Proposed Implementation of Blood Products Lot Release in Malaysia

Initial Stage	<i>January – December 2015</i>	Administrative and paperwork : • Framework & Guidelines • Submission of product Lot Summary Protocol by Product Registration Holder (PRH) for preparation of checklist
Pilot Study	January – June 2016	<i>To conduct Lot Release Pilot Study on selected imported Blood Products by Lot Summary Protocol Evaluation and Cold Chain Inspection</i>
Full Implementation	July 2016 onwards	<i>To conduct Lot Release on all imported Blood Products by Lot Summary Protocol Evaluation and Cold Chain Inspection</i>

## **Proposal Charges for Services**

BIL	PERKHIDMATAN / AKTIVITI		YURAN YANG DICADANGKAN				
1.	Pemprosesan Pengkelasan Produk		RM 300				
2.	Pemprosesan Permohonan Variasi Produk dan Tambahan Indikasi		Penilaian penuh (A, X, H)	Penilaian ringkas (N, T, H)			
	Minor Variation prior approval (MiV-PA)	RM150 setiap jenis permohonan		RM50 setiap jenis permohonan*			
	Major Variation (MaV)	RM300	setiap jenis permohonan	RM100 setiap jenis permohonan			
	Tambahan indikasi		RM1000	Tidak berkenaan			
2.	Pemprosesan Permohonan Pertukaran Tapak Pengilang		Farmaseutikal	Tradisional			
	Jenis I		(A, X, N, H)	(T)			
	,		A1000 setiap produk	RM100 setiap produk			
	Pemprosesan dan Pemeriksaan Pusat Kajian Bioekuivalens (BE) Tempatan						
4.	Yuran Pemprosesan Permohonan**	RM1,000					
	Penilaian Dokumentasi***	RM1,000					
	Pemeriksaan Penuh (Klinikal, Bioanalitikal dan Method Val	RM1,000/pemeriksa/hari bekerja					
	Pemeriksaan Tambahan Tapak Klinikal / Bioanalitikal	RM1,000/pemeriksa/hari bekerja					
	Pemeriksaan Verifikasi	RM1,000/pemeriksa/hari bekerja					
	Pemeriksaan Triggered <sup>#</sup>		RM1,000/pemeriksa/hari bekerja				
	Pemeriksaan Amalan Makmal Baik (Good Labrorate	ory Prac	tice, GLP) ke atas Fasi	liti Kajian Bukan Klinikal di			
	Malaysia						
	Permohonan		RM 2000				
	Penilaian dokumentasi		RM 2000				
5.	Pra-pemeriksaan		RM 2000/hari/inspektor				
	Pemeriksaan		RM 2000/hari/inspektor				
	Verifikasi		RM 2000/hari/inspektor				
	Surveilan		RM 2000/hari/inspektor				
	Yuran pakar teknikal		RM 2000/har	i/inspektor 48			
	Sijil Tahunan		RM 20	40			

# **Proposal Charges for Services**

6.	Aktiviti Penilaian Pelan Susun Atur Premis		Permohonan Pelan Baru		Permohonan Pindaan Pelan	
0.	Semua jenis pelan susun atur premis pengilang produk.		RM1,000		RM500	
7.	Pemprosesan Permohonan Sijil Indikasi dan Sijil Deklarasi		RM50 / setiap sijil yang dikeluarkan		dikeluarkan	
	Pemprosesan Aktiviti Vaccine Lot Release					
	Jenis Vaksin Peme	Pemeriksa	iksaan Rangkaian Sejuk dan Penilaian 👘 Peme		eriksaan Rangkaian Sejuk bagi Lot	
		Lot Summary Protocol		Summary Protocol yang pernah dinilai		
	Semenanjung Malaysia					
	Monovalent		RM300 / lot vaksin			
8.	Polyvalent		RM500 / lot vaksin	RM200 / lot vaksin		
	Combination		RM1000 / lot vaksin			
	Sabah dan Sarawak					
	Monovalent		RM600 / lot vaksin	t vaksin RM500 / lot vaksin		
	Polyvalent		RM800 / lot vaksin			
	Combination		RM1300 / lot vaksin			

#### Implementation date: to be announced



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