



DEPARTMENT OF HEALTH & HUMAN SERVICES
Food and Drug Administration
New England District

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One Montvale Avenue
Stoneham, Massachusetts 02180
(781) 279-1675
FAX: (781) 279-1742

WARNING LETTER

NWE-30-00W

May 22, 2000

VIA FEDERAL EXPRESS

Frank M. Abrano, President
Bryan Corporation
4 Plympton Street
Woburn, Massachusetts 01801

Dear Mr. Abrano,

During the period of March 1 through 9, 2000, an FDA Investigator from our New England District Office conducted an inspection of your firm for the purpose of determining your firm's compliance with the Postmarketing Adverse Drug Experience (PADE) reporting requirements of Title 21, Code of Federal Regulations (CFR), Part 314.80, Part 314.81 and Section 505(k) of the Federal Food, Drug and Cosmetic Act (the Act).

Based on our review of the inspection report and the application file, we conclude that your firm violated Section 301(e) of the Act because it failed to comply with 21 CFR 314.80, 21 CFR 314.81 and Section 505(k)(1) of the Act.

Deviations from the FDA regulations include the following:

1. Failure to file accurate and complete information in the Annual Reports containing the information required by 21 CFR 314.81. Specifically, the 1998 Annual report you filed on June 29, 1999 for New Drug Application (NDA) 20-587 reported your firm had not received any complaints or adverse reactions for your drug product, Sclerosol. A review of your complaint log showed four (4) complaints received during 1998. Further, the 1999 Annual report filed on February 23, 2000, failed to reference an adverse reaction on a death and a complaint reported to your firm during 1999.

2. Failure to file a periodic adverse drug experience report for the 1999 reported death as required by 21 CFR 314.80(c)(2).
3. Failure to develop adequate written procedures for the surveillance, receipt, evaluation, and reporting of postmarketing adverse drug experiences to FDA as required by 21 CFR 314.80(b). The procedures are inadequate in that they do not:
 - 1) describe what type of incoming complaints or reports are required to be filed as drug quality manufacturing defect reports or ADE reports with the FDA. This is important because your firm's April 17, 2000 response to the FDA-483 issued on March 9, 2000, did not recognize the Sclerosol event as an adverse drug event that requires reporting to FDA.
 - 2) contain sufficient information regarding what to report, where to report, when to report and what form to use in submitted ADE reports to FDA. This resulted in the submission of the Form 3500A to the wrong address.
 - 3) contain sufficient information regarding your surveillance activities, including the review of scientific literature.
4. Failure to have written procedures for the handling of written and oral complaints (21 CFR 211.198). Further you failed to document any follow-up on any of the complaints that you received.

As noted above, we acknowledge receipt of a response from your firm to the FDA-483 from Ms. Rose S. Logsdon, Director of Marketing, at the conclusion of the inspection. Your response did not explain, however, what steps you will take to correct and prevent recurrence of the violations cited in this letter.

This letter is not intended to be an all-inclusive list of deficiencies at your facility. It is your responsibility to ensure adherence to each requirement of the Act and regulations. You are responsible for investigating and determining the causes of the violations identified above and to prevent recurrence of similar violations.

You should take prompt action to correct these deviations. Failure to promptly correct these deviations may result in regulatory action without further notice. These actions may include, but are not limited to, seizure and/or injunction. Federal agencies are advised of the issuance of all Warning Letters about drugs so that they may take this information into account when considering the award of contracts. Please note the Federal Food, Drug and Cosmetic Act and CFRs can be found on the Internet at <http://www.fda.gov/opacom/laws/fdcact/fdctoc.htm> and <http://www.fda.gov/medwatch/>.

Bryan Corporation
Woburn, MA
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We request that you reply in writing within fifteen (15) working days of receipt of this letter. Please direct your response to the Food and Drug Administration, One Montvale Ave., Stoneham, MA, 02180, Attn: Bruce R. Ota, Compliance Officer. If you have any questions or concerns, please feel free to contact Bruce R. Ota at (781)279-1675 ext. 119.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Gail T. Costello". The signature is fluid and cursive, with a large initial "G" and a long horizontal stroke extending to the right.

Gail T. Costello
District Director
New England District Office