

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 01N-0565]

Harry W. Snyder, Jr.; Debarment Order

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is issuing an order under the Federal Food, Drug, and Cosmetic Act (the act) permanently debarring Harry W. Snyder, Jr., from providing services in any capacity to a person that has an approved or pending drug product application. FDA bases this order on a finding that Mr. Snyder was convicted of a felony under Federal law for conduct relating to the development or approval, including the process for development or approval, of a drug product. Mr. Snyder failed to request a hearing and, therefore, has waived his opportunity for a hearing concerning this action.

DATES: This order is effective [insert date of publication in the FEDERAL REGISTER].

ADDRESSES: Submit applications for termination of debarment to the Dockets Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT:

Nicole K. Mueller,
Center for Drug Evaluation and Research (HFD-7),
Food and Drug Administration,
5600 Fishers Lane,
Rockville, MD 20857,
301-594-2041.

SUPPLEMENTARY INFORMATION:

I. Background

On August 31, 2000, the U.S. District Court for the Northern District of Alabama entered judgment against Mr. Snyder for two counts of making false statements to an agency of the United States, two counts of mail fraud, and one count of conspiracy to commit offenses against the United States, Federal felony offenses under 18 U.S.C. 2, 1001, 1341, and 371, respectively. These offenses were committed as part of the development of a new drug for which Mr. Snyder was conducting efficacy trials.

As a result of this conviction, FDA served Mr. Snyder by certified mail on May 8, 2002, a notice proposing to permanently debar Mr. Snyder from providing services in any capacity to a person that has an approved or pending drug product application. The proposal also offered Mr. Snyder an opportunity for a hearing on the proposal. The proposal was based on a finding, under section 306(a)(2)(A) of the act (21 U.S.C. 335a(a)(2)(A)), that Mr. Snyder was convicted of a felony under Federal law for conduct relating to the development or approval, including the

process for development or approval, of a drug product. Mr. Snyder was provided 30 days to file objections and request a hearing. Mr. Snyder did not request a hearing. His failure to request a hearing constitutes a waiver of his opportunity for a hearing and a waiver of any contentions concerning his debarment.

II. Findings and Order

Therefore, the Director, Center for Drug Evaluation and Research, under section 306(a)(2)(A) of the act, and under authority delegated to her (21 CFR 5.34), finds that Mr. Harry W. Snyder, Jr., has been convicted of a felony under Federal law for conduct relating to the development or approval, including the process for development or approval, of a drug product.

As a result of the foregoing finding, Mr. Harry W. Snyder, Jr., is permanently debarred from providing services in any capacity to a person with an approved or pending drug product application under section 505, 512, or 802 of the act (21 U.S.C. 355, 360b, or 382), or under section 351 of the Public Health Service Act (42 U.S.C. 262), (see sections 306(c)(1)(B) and (c)(2)(A)(ii) and 201(dd) of the act (21 U.S.C. 321(dd))). Any person with an approved or pending drug product application who knowingly uses the services of Mr. Snyder, in any capacity, during his period of debarment, will be subject to civil money penalties (section 307(a)(6) of the act (21 U.S.C. 335b(a)(6))). If Mr. Snyder, during his period of debarment, provides services in any capacity to a person with an approved or pending drug

product application, he will be subject to civil money penalties (section 307(a)(7) of the act). In addition, FDA will not accept or review any abbreviated new drug applications submitted by or with the assistance of Mr. Snyder during his period of debarment.

Any application by Mr. Snyder for termination of debarment under section 306(d)(4) of the act should be identified with Docket No. 01N-0565 and sent to the Dockets Management Branch (see ADDRESSES). All such submissions are to be filed in four copies. The public availability of information in these submissions is governed by 21 CFR 10.20(j). Publicly available submissions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: December 23, 2002.

Janet Woodcock, M.D.
Director, Center for Drug Evaluation and Research