

**TAB 14      The Monograph versus New Drug Application Process**



## MEMORANDUM

Department of Health and Human Services  
Food and Drug Administration  
Center for Drug Evaluation and Research

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Date: August 15, 2005

From: Consumer Antiseptic Review Team

Through: Office of Nonprescription Products

To: Members of Nonprescription Drug Advisory Committee, Consultants and Guests

Subject: FDA Evaluation of Nonprescription Consumer Antiseptics

This memo provides information on how FDA evaluates the safety and effectiveness of nonprescription drugs.

### *How does FDA evaluate nonprescription drug products?*

The safety and effectiveness of nonprescription drugs is evaluated by one of two mechanisms, the New Drug Approval (NDA) process or the Over-the-Counter (OTC) Drug Review.

#### *NDA process*

The NDA review process evaluates the safety and effectiveness of individual drug products. Drug products that are not generally recognized as safe and effective by experts qualified by scientific training and experience or that are not eligible for evaluation under the OTC Drug Review are evaluated by this process. NDA products may not be marketed without Agency approval, and once approved must comply with postmarketing reporting requirements that include adverse event reporting and the submission of any information that may have a bearing on the safe and effective use of the drug. The review process is confidential and approval may result in a period of marketing exclusivity.

#### *OTC Drug Review*

The OTC Drug Review evaluates the safety and effectiveness of active ingredients for specific nonprescription drug categories, e.g., benzalkonium chloride for antiseptic use. It is an evaluation of marketed products. Only products meeting specific marketing requirements are eligible for the Review. For a product to be eligible it must have been marketed in the United States prior to the initiation of the review (May 11, 1972). This date was

subsequently extended to December 4, 1975. Products that can demonstrate substantial marketing in a foreign country may also be eligible for the Review. Unlike the NDA process, products may continue to be marketed while undergoing evaluation. However, this marketing is subject to the risk that some aspect of the product, e.g., active ingredient, dose, or labeling, may not be found to be generally recognized as safe and effective (GRASE) and could no longer be marketed with these conditions.

Where the NDA process is strictly confidential, the OTC Drug Review is accomplished through the multistep public notice and comment rulemaking shown below.

<b>OTC Drug Review Step</b>	<b>Process</b>
Expert Advisory Review Panel evaluation	Evaluation of data submitted in response to FDA's call for data on an OTC drug product category, e.g., antiseptic drug products. Panel deliberations are public.
Advance Notice of Proposed Rulemaking (ANPR)	Publication of the Panel's recommendations along with FDA's proposed regulation based on these recommendations with an opportunity for comment and submission of new data.
Tentative Final Monograph (TFM)	FDA's proposed regulation based on the Panel's recommendations and public comment and new data received with an opportunity for comment and submission of new data.
Final Rule (FR)	FDA's regulation.

The end product of the Review is a final regulation that describes active ingredients, their dose, and labeling conditions that are recognized as safe and effective for a specific OTC use. Some final rules also include final formulation testing requirements and protocols to demonstrate the effectiveness of specific product formulations. Products that are compliant with a final regulation may be marketed without prior FDA approval. Manufacturers are not required to comply until the effective date of the final regulation. No marketing exclusivity is conferred under this process, and currently there is no requirement for adverse event reporting for these products.