

**FDA STAFF MANUAL GUIDES, VOLUME II – DELEGATIONS OF  
AUTHORITY**

**REGULATORY – GENERAL REDELEGATIONS OF AUTHORITY**

**GOVERNMENT DELIBERATIVE PROCESS PRIVILEGE**

Effective Date: February 23, 2017

**1. AUTHORITY DELEGATED AND TO WHOM DELEGATED.**

A. The following officials are authorized to assert the Governmental Deliberative Process Privilege on behalf of the Food and Drug Administration (FDA) in litigation in which FDA documents are sought. To exercise this authority the officials must personally examine the documents being sought and conclude that disclosure of the documents would impair the government's deliberative process. After taking these actions, the delegatee official may assert the governmental privileges in the form of the Deliberative Process Privilege:

1. Director and Deputy Directors, Center for Food Safety and Applied Nutrition (CFSAN), Office of Foods and Veterinary Medicine (OFVM).
2. Director and Deputy Director, Office of Compliance (OC), CFSAN, OFVM.
3. Director and Deputy Director, Office of Dietary Supplement Programs, CFSAN, OFVM.
4. Director and Deputy Directors, Center for Veterinary Medicine (CVM), OFVM.
5. Director and Deputy Director, Office of Surveillance and Compliance (OSC), CVM, OFVM.
6. Director and Deputy Director, Office of New Animal Drug Evaluation (ONADE), CVM, OFVM.

**2. REDELEGATION.**

These officials may not further redelegate this authority.

### 3. EFFECTIVE DATE.

The Commissioner of Food and Drugs approved the delegations, via memorandum, on February 23, 2017.

The delegations become effective upon date of signature.

<b>STATUS (I, R, C)</b>	<b>DATE APPROVED</b>	<b>LOCATION OF CHANGE HISTORY</b>	<b>CONTACT</b>	<b>APPROVING OFFICIAL</b>
Initial	02/23/2017	N/a	OC/OCC	Stephen M. Ostroff, M.D., Acting Commissioner of Food and Drugs

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