



**FDA** U.S. FOOD & DRUG  
ADMINISTRATION

# **FY 2022**

## ***Real Time Report***

*pursuant to the*

## **Prescription Drug User Fee Act**

*as amended by the FDA Reauthorization Act of 2017*

## ***Acronyms***

**BLA** – Biologics License Application

**CBER** – Center for Biologics Evaluation and Research

**CDER** – Center for Drug Evaluation and Research

**FDA** – Food and Drug Administration

**FDARA** – FDA Reauthorization Act of 2017

**FY** – Fiscal Year (October 1 to September 30)

**NDA** – New Drug Application

**PDUFA** – Prescription Drug User Fee Act

**Q1** – Quarter 1 (October 1 to December 31)

**Q2** – Quarter 2 (January 1 to March 31)

**Q3** – Quarter 3 (April 1 to June 30)

**Q4** – Quarter 4 (July 1 to September 30)

## Background

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On August 18, 2017, the FDA Reauthorization Act of 2017 (FDARA) (Public Law 115-52) was signed into law. FDARA amended<sup>1</sup> the Federal Food, Drug, and Cosmetic Act (FD&C Act) to revise and extend the user fee programs for human drugs, biologics, generic drugs, medical devices, and biosimilar biological products.

Section 736B(a)(3) of the FD&C Act, as amended by Section 903 of FDARA, requires the Food and Drug Administration (FDA) to provide 'Real Time' reporting, posted on a quarterly basis, of guidance documents and public meetings related to the process for the review of human drugs and biologics, and the number of new drug and biologics license applications filed, and the number of approvals.<sup>1</sup>

### Real Time Reporting Under Section 736B(a)(3) of the FD&C Act

This report provides the PDUFA real time reporting metrics, required under Section 736B(a)(3) of the FD&C Act as in effect on September 30, 2022<sup>2</sup>:

Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary of Health and Human Services shall post on the internet website of the Food and Drug Administration:

- 1) The number and titles of draft and final guidance on topics related to the process for the review of human drug applications and whether such guidances were issued as required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.
- 2) The number and titles of public meetings held on topics related to the process for the review of human drug applications, and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.
- 3) The number of new drug applications and biological licensing applications approved.
- 4) The number of new drug applications and biological licensing applications filed.

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<sup>1</sup> This report provides information related to human drug applications. The term "human drug application" is defined for purposes of PDUFA by section 735(1) of the FD&C Act to mean an application for approval of a new drug submitted under section 505(b) of the FD&C Act or licensure of a biological product under section 351(a) of the Public Health Service (PHS) Act, with certain exceptions including supplemental applications and applications for certain types of drugs and biologics. This report does not include information regarding biosimilar biologic license applications, which is presented in the Real Time Report pursuant to the Biosimilar User Fee Act.

<sup>2</sup> Effective October 1, 2022, section 736B(a)(3) of the FD&C Act was slightly amended by the Prescription Drug User Fee Amendments of 2022, as enacted under title I of Division F (FDA User Fee Reauthorization Act of 2022) of the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 (Public Law 117-180).

## ***Human Drugs and Biologics***

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### **Guidance Documents**

Pursuant to Section 736B(a)(3) of the FD&C Act, the table below lists the number and titles of draft and final guidance on topics related to the process for the review of human drug and biologics license applications and whether such guidances were issued as required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017. Guidance documents are listed by the quarter in which they were issued and are provided in a cumulative format for fiscal year 2022.

**Table 1: Draft and Final Guidance Documents Related to the Process for the Review of Human Drug and Biologics License Applications for FY 2022**

<b>Number</b>	<b>Quarter Issued</b>	<b>Title &amp; Website Link</b>	<b>Date Issued</b>	<b>Issued as Required by Statute or Pursuant to Commitment Letter</b>	<b>Statutory or Commitment Letter Citation (if applicable)</b>
1	Q1	S1B(R1) Addendum to S1B Testing for Carcinogenicity of Pharmaceuticals; Draft Guidance <a href="http://www.fda.gov/media/152777/download">www.fda.gov/media/152777/download</a>	10/5/2021	N/A	N/A
2	Q1	Q13 Continuous Manufacturing of Drug Substances and Drug Products; Draft Guidance <a href="http://www.fda.gov/media/153044/download">www.fda.gov/media/153044/download</a>	10/13/2021	N/A	N/A
3	Q1	Data Standards for Drug and Biological Product Submissions Containing Real-World Data; Draft Guidance for Industry <a href="http://www.fda.gov/media/153341/download">www.fda.gov/media/153341/download</a>	10/22/2021	Yes	PDUFA VI Commitment Letter Section I.6.c
4	Q1	Reporting Amount of Listed Drugs and Biological Products Under Section 510(j)(3) of the FD&C Act; Draft Guidance for Industry <a href="http://www.fda.gov/media/153665/download">www.fda.gov/media/153665/download</a>	10/29/2021	N/A	N/A
5	Q1	Real-World Data: Assessing Registries to Support Regulatory Decision-Making for Drug and Biological Products; Draft Guidance for Industry <a href="http://www.fda.gov/media/154449/download">www.fda.gov/media/154449/download</a>	11/30/2021	Yes	PDUFA VI Commitment Letter Section I.6.c
6	Q1	IND Submissions for Individualized Antisense Oligonucleotide Drug Products for Severely Debilitating or Life-Threatening Diseases: Chemistry, Manufacturing, and Controls Recommendations; Draft Guidance for Sponsor-Investigators <a href="http://www.fda.gov/media/154664/download">www.fda.gov/media/154664/download</a>	12/8/2021	N/A	N/A
7	Q1	Investigational New Drug Application Submissions for Individualized Antisense Oligonucleotide Drug Products Severely Debilitating or Life-Threatening Diseases: Clinical Recommendations; Draft Guidance for Sponsor-Investigators <a href="http://www.fda.gov/media/154663/download">www.fda.gov/media/154663/download</a>	12/8/2021	N/A	N/A

Number	Quarter Issued	Title & Website Link	Date Issued	Issued as Required by Statute or Pursuant to Commitment Letter	Statutory or Commitment Letter Citation (if applicable)
8	Q1	CMC Postapproval Manufacturing Changes for Specified Biological Products To Be Documented in Annual Reports; Guidance for Industry <a href="http://www.fda.gov/media/106935/download">www.fda.gov/media/106935/download</a>	12/9/2021	N/A	N/A
9	Q1	Considerations for the Use of Real-World Data and Real-World Evidence to Support Regulatory Decision-Making for Drug and Biological Products; Draft Guidance for Industry <a href="http://www.fda.gov/media/154714/download">www.fda.gov/media/154714/download</a>	12/9/2021	Yes	PDUFA VI Commitment Letter Section I.6.c
10	Q1	Development of Anti-Infective Drug Products for the Pediatric Population; Guidance for Industry <a href="http://www.fda.gov/media/139586/download">www.fda.gov/media/139586/download</a>	12/10/2021	N/A	FDASIA Section 804
11	Q1	Chronic Rhinosinusitis with Nasal Polyps: Developing Drugs for Treatment; Draft Guidance for Industry <a href="http://www.fda.gov/media/154724/download">www.fda.gov/media/154724/download</a>	12/10/2021	N/A	N/A
12	Q1	Bowel Cleansing for Colonoscopy: Efficacy and Safety Considerations for Developing New Products; Draft Guidance for Industry <a href="http://www.fda.gov/media/154760/download">www.fda.gov/media/154760/download</a>	12/10/2021	N/A	N/A
13	Q1	Inspection of Injectable Products for Visible Particulates; Draft Guidance for Industry <a href="http://www.fda.gov/media/154868/download">www.fda.gov/media/154868/download</a>	12/16/2021	N/A	N/A
14	Q2	Immunogenicity Information in Human Prescription Therapeutic Protein and Select Drug Product Labeling – Content and Format; Draft Guidance for Industry <a href="http://www.fda.gov/media/155871/download">www.fda.gov/media/155871/download</a>	2/4/2022	N/A	N/A
15	Q2	Assessment of Pressor Effect of Drugs; Draft Guidance for Industry <a href="http://www.fda.gov/media/113477/download">www.fda.gov/media/113477/download</a>	2/4/2022	N/A	N/A
16	Q2	COVID-19 Public Health Emergency: Considerations for COVID-19-Related Sanitation Tunnels; Guidance for Industry and Investigators <a href="http://www.fda.gov/media/156027/download">www.fda.gov/media/156027/download</a>	2/8/2022	N/A	N/A
17	Q2	Development of Non-Opioid Analgesics for Acute Pain; Draft Guidance for Industry <a href="http://www.fda.gov/media/156063/download">www.fda.gov/media/156063/download</a>	2/10/2022	N/A	N/A
18	Q2	Nonclinical Considerations for Mitigating Nonhuman Primate Supply Constraints Arising from the COVID-19 Pandemic; Guidance for Industry <a href="http://www.fda.gov/media/155950/download">www.fda.gov/media/155950/download</a>	2/24/2022	N/A	N/A
19	Q2	Patient-Focused Drug Development: Methods to Identify What is Important to Patients; Guidance for Industry, Food and Drug Administration Staff, and Other Stakeholders <a href="http://www.fda.gov/media/131230/download">www.fda.gov/media/131230/download</a>	2/28/2022	Yes	PDUFA Commitment Letter Section J.1

Number	Quarter Issued	Title & Website Link	Date Issued	Issued as Required by Statute or Pursuant to Commitment Letter	Statutory or Commitment Letter Citation (if applicable)
20	Q2	Expansion Cohorts: Use in First-In-Human Clinical Trials to Expedite Development of Oncology Drugs and Biologics; Guidance for Industry <a href="http://www.fda.gov/media/115172/download">www.fda.gov/media/115172/download</a>	3/2/2022	N/A	N/A
21	Q2	Master Protocols: Efficient Clinical Trial Design Strategies to Expedite Development of Oncology Drugs and Biologics; Guidance for Industry <a href="http://www.fda.gov/media/120721/download">www.fda.gov/media/120721/download</a>	3/2/2022	N/A	N/A
22	Q2	Considerations for the Development of Chimeric Antigen Receptor (CAR) T Cell Products; Draft Guidance for Industry <a href="http://www.fda.gov/media/156896/download">www.fda.gov/media/156896/download</a>	3/16/2022	N/A	N/A
23	Q2	Human Gene Therapy Products Incorporating Human Genome Editing; Draft Guidance for Industry <a href="http://www.fda.gov/media/156894/download">www.fda.gov/media/156894/download</a>	3/16/2022	N/A	N/A
24	Q3	Chronic Hepatitis B Virus Infection: Developing Drugs For Treatment; Guidance for Industry <a href="http://www.fda.gov/media/117977/download">www.fda.gov/media/117977/download</a>	4/7/2022	N/A	N/A
25	Q3	Celiac Disease: Developing Drugs for Adjunctive Treatment to a Gluten-Free Diet; Draft Guidance for Industry <a href="http://www.fda.gov/media/157682/download">www.fda.gov/media/157682/download</a>	4/15/2022	N/A	N/A
26	Q3	Drug Products, Including Biological Products, that Contain Nanomaterials; Guidance for Industry <a href="http://www.fda.gov/media/157812/download">www.fda.gov/media/157812/download</a>	4/21/2022	N/A	N/A
27	Q3	Chron's Disease: Developing Drugs for Treatment; Draft Guidance for Industry <a href="http://www.fda.gov/media/158001/download">www.fda.gov/media/158001/download</a>	4/29/2022	N/A	N/A
28	Q3	Ulcerative Colitis: Developing Drugs for Treatment; Draft Guidance for Industry <a href="http://www.fda.gov/media/158016/download">www.fda.gov/media/158016/download</a>	4/29/2022	N/A	N/A
29	Q3	Benefit-Risk Considerations for Product Quality Assessments; Draft Guidance for Industry <a href="http://www.fda.gov/media/158204/download">www.fda.gov/media/158204/download</a>	5/9/2022	N/A	N/A
30	Q3	Risk Management Plans to Mitigate the Potential for Drug Shortages; Draft Guidance for Industry <a href="http://www.fda.gov/media/158487/download">www.fda.gov/media/158487/download</a>	5/19/2022	N/A	N/A
31	Q3	Advanced Prostate Cancer: Developing Gonadotropin-Releasing Hormone Analogues; Guidance for Industry <a href="http://www.fda.gov/media/129027/download">www.fda.gov/media/129027/download</a>	5/27/2022	N/A	N/A
32	Q3	Non-Penicillin Beta-Lactam Drugs: A CGMP Framework for Preventing Cross-Contamination; Draft Guidance for Industry <a href="http://www.fda.gov/media/159358/download">www.fda.gov/media/159358/download</a>	6/23/2022	N/A	N/A

Number	Quarter Issued	Title & Website Link	Date Issued	Issued as Required by Statute or Pursuant to Commitment Letter	Statutory or Commitment Letter Citation (if applicable)
33	Q3	Patient-Focused Drug Development: Selecting, Developing or Modifying Fit-for-Purpose Clinical Outcome Assessments; Draft Guidance for Industry, Food and Drug Administration Staff, and Other Stakeholders <a href="http://www.fda.gov/media/159500/download">www.fda.gov/media/159500/download</a>	6/30/2022	Yes	PDUFA Commitment Letter Section J.1
34	Q4	Conducting Remote Regulatory Assessments Questions and Answers; Draft Guidance for Industry <a href="http://www.fda.gov/media/160173/download">www.fda.gov/media/160173/download</a>	7/22/2022	N/A	N/A
35	Q4	Statement of Identify and Strength – Content and Format of Labeling for Human Nonprescription Drug Products; Draft Guidance for Industry <a href="http://www.fda.gov/media/161186/download">www.fda.gov/media/161186/download</a>	9/9/2022	N/A	N/A

## Public Meetings

Pursuant to Section 736B(a)(3) of the FD&C Act, the table below lists the number and titles of public meetings held on topics related to the process for the review of human drug and biologics license applications and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017. Public meetings are listed by the quarter in which they were held and are provided in a cumulative format for fiscal year 2022.

**Table 2: Public Meetings Held Related to the Process for the Review of Human Drug and Biologics License Applications for FY 2022**

Number	Quarter Held	Title	Date Held	Held as Required by Statute or Pursuant to Commitment Letter
1	Q1	Best Practices for Development and Application of Disease Progression Models <a href="http://www.fda.gov/drugs/news-events-human-drugs/best-practices-development-and-application-disease-progression-models-11192021-11192021">www.fda.gov/drugs/news-events-human-drugs/best-practices-development-and-application-disease-progression-models-11192021-11192021</a>	11/19/2021	PDUFA VI Commitment Letter Section J.3.b
2	Q1	Regenerative Medicine 101 Webinar: Information for Patients, Caregivers & Advocates <a href="http://www.fda.gov/news-events/regenerative-medicine-101-webinar-information-patients-caregivers-advocates-11162021-11162021">www.fda.gov/news-events/regenerative-medicine-101-webinar-information-patients-caregivers-advocates-11162021-11162021</a>	11/16/2021	No
3	Q2	RegenMedEd Webinar: The Critical Role of Patients in Advancing Gene Therapy Treatments for Rare Diseases <a href="http://www.fda.gov/news-events/fda-meetings-conferences-and-workshops/regenmeded-webinar-critical-role-patients-advancing-gene-therapy-treatments-rare-diseases-03092022">www.fda.gov/news-events/fda-meetings-conferences-and-workshops/regenmeded-webinar-critical-role-patients-advancing-gene-therapy-treatments-rare-diseases-03092022</a>	3/9/2022	No
4	Q3	Prescription Drug User Fee Act of 2017; Electronic Submissions and Data Standards <a href="http://www.fda.gov/industry/prescription-drug-user-fee-amendments/pdufa-vi-information-technology-goals-and-progress">www.fda.gov/industry/prescription-drug-user-fee-amendments/pdufa-vi-information-technology-goals-and-progress</a>	4/12/2022	PDUFA VI Commitment Letter Section IV.C.1
5	Q3	Using Methods from PFDD Guidance 1 and Guidance 2 as Tools for Including Patient Experience Data in Clinical Trials: Who to Ask and How to Ask <a href="http://www.fda.gov/drugs/news-events-human-drugs/using-methods-pfdd-guidance-1-and-guidance-2-tools-including-patient-experience-data-clinical-trials">www.fda.gov/drugs/news-events-human-drugs/using-methods-pfdd-guidance-1-and-guidance-2-tools-including-patient-experience-data-clinical-trials</a>	6/30/2022	No
6	Q4	Using Methods from PFDD Guidance 1 and Guidance 2 as Tools for Including Patient Experience Data in Clinical Trials: Lessons Learned about Data Collection and Analysis <a href="http://www.fda.gov/drugs/news-events-human-drugs/using-methods-pfdd-guidance-1-and-guidance-2-tools-including-patient-experience-data-clinical-trials-0">www.fda.gov/drugs/news-events-human-drugs/using-methods-pfdd-guidance-1-and-guidance-2-tools-including-patient-experience-data-clinical-trials-0</a>	7/25/2022	No
7	Q4	Public Webinar – Patient Focused Drug Development: Selecting, Developing, or Modifying Fit-for-Purpose Clinical Outcome Assessments – Draft Guidance	9/9/2022	No



		<a href="http://www.fda.gov/drugs/news-events-human-drugs/public-webinar-patient-focused-drug-development-selecting-developing-or-modifying-fit-purpose">www.fda.gov/drugs/news-events-human-drugs/public-webinar-patient-focused-drug-development-selecting-developing-or-modifying-fit-purpose</a>		
8	Q4	OTAT Town Hall: Gene Therapy Chemistry, Manufacturing, and Controls <a href="https://www.fda.gov/news-events/otat-town-hall-gene-therapy-chemistry-manufacturing-and-controls-09292022">https://www.fda.gov/news-events/otat-town-hall-gene-therapy-chemistry-manufacturing-and-controls-09292022</a>	9/29/2022	No

## New Drug and Biologics License Applications

The figures in the tables below represent filed and approved New Drug Applications (NDAs) and Biologics License Applications (BLAs) during FY 2022. Figures are calculated based on the same criteria used in the annual PDUFA Report to Congress. The filed figures are based on when the application was received and include applications that are still within the 60-day filing date and have not yet been filed.<sup>3</sup> The approved figures include applications that have received an approval or tentative approval action. All data is as of September 30, 2022.

Quarterly filed figures are preliminary.

**Table 3: The number of NDAs and BLAs filed\* in FY 2022 (as of September 30, 2022)**

Application Type	Q1	Q2	Q3	Q4	Cumulative
NDAs	21 <sup>a</sup>	22 <sup>b</sup>	21 <sup>c</sup>	31	96
BLAs	7	5	10 <sup>d</sup>	15	37
<b>Total</b>	<b>27</b>	<b>28</b>	<b>34</b>	<b>46</b>	<b>133</b>

\* Data excludes applications that are unacceptable for filing due to nonpayment of user fees, have been withdrawn within 60 days of receipt, or have been refused to file.

<sup>a</sup> The NDA filed count for Q1 had a net increase of one since the June 30, 2022 report due to one application being administratively split into two.

<sup>b</sup> Following a routine data check, FDA identified a correction in the "NDA filed" count. The result was a net decrease of one for Q2, compared to the June 30, 2022 report.

<sup>c</sup> The NDA filed count for Q3 had a net decrease of four since the June 30, 2022 report due to three refuse to file actions and one application being reclassified as an efficacy supplement.

<sup>d</sup> The BLA filed count for Q3 had a net increase of one since the June 30, 2022 report due to the addition of a late data entry.

**Table 4: The number of NDAs and BLAs approved in FY 2022 (as of September 30, 2022)**

Application Type	Q1	Q2	Q3	Q4	Cumulative
NDAs	33	27	30	30	120
BLAs	7	6	2	6	21
<b>Total</b>	<b>40</b>	<b>33</b>	<b>32</b>	<b>36</b>	<b>141</b>

<sup>3</sup> FDA only files applications that are sufficiently complete to permit a substantive review. The Agency makes a filing decision within 60 days of an original application's receipt.

## ***Glossary of Terms Included in This Report***

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**Approval** – An official action by FDA, communicated via letter to a NDA or BLA applicant, that the applicant has satisfied the requirements of the statute for approval and allows the commercial marketing of the product.

**BLA** – The BLA must contain specific information on the manufacturing processes, chemistry, pharmacology, clinical pharmacology, and the clinical effects of a biologic product. If the information provided meets FDA requirements, the application is approved, and a license is issued allowing the firm to market the product.

**NDA** – When the sponsor of a new drug believes that enough evidence on the drug's safety and effectiveness has been obtained to meet FDA's requirements for marketing approval, the applicant submits to FDA a new drug application. The application must contain data from specific technical viewpoints for review, including chemistry, pharmacology, medical, biopharmaceutics, and statistics. If the NDA is approved, the product may be marketed in the United States.

**Refuse to File** – An official action from FDA, communicated via letter to a NDA or BLA applicant, stating that the FDA has made a threshold determination that the application is not sufficiently complete to permit a substantive review

**Tentative Approval** – An official action by FDA, communicated via letter to a NDA applicant, stating that the NDA otherwise meets the requirements for approval, but that it may not be legally marketed in the U.S. until the market exclusivity and/or patent term of the listed drug upon which the application relies has expired.

**Unacceptable for Filing** – An official action by FDA, communicated via letter to a NDA applicant, stating that the application is not accepted by the FDA for review. Note: PDUFA requires this action when the applicant has not submitted payment for the application, or when the applicant is determined to be in arrears for non-payment of annual program fees.