Untitled Letters and Warning Letters

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Learning Objectives

- Identify ULs and WLs and when they are issued
- Identify the steps to address and close ULs and WLs
- Discuss the manual override process
- Discuss the importance and impacts of the ULs and WLs
- Identify tips to avoid ULs and WLs

Registration and Listing Compliance Program

- Started in 2015

- Mission: to protect and promote public health by striving to achieve accuracy and integrity of establishment registration and drug listing data
- Four steps or actions:
  1. Random and focused registration and listing data review
  2. Issue deficiency letters
  3. Removal of incorrected data
  4. Final action: untitled letter, warning letter, data inactivation

Untitled Letters and Warning Letters

- Official communication from FDA issued to registrants and labelers
- These can be issued if registrants or labelers do not respond to initial deficiency letters or make appropriate corrections
- Statutory and regulatory requirements

More about Warning Letters

- WLs are posted on FDA's warning letter webpage
  - Warning Letters | FDA
- Links to the issued WLs also found on
  - Electronic Registration and Listing Compliance Program Page
- DRLB has issued 21 warning letters to date
- A few include both registration and listing violations
- Most include listing violations

When Untitled Letters May be Issued

- Listing issues that can lead to ULs
  - Incorrect NDC
  - Incorrect strength of active ingredient
  - Incorrect Marketing category or Document Type

When Warning Letters May be Issued

- Registration issues that may lead to WLs
  - Failure to register or failure to list
  - Incorrect or unauthorized U.S. agent
- Listing issues that may lead to WLs
  - Incorrect or missing establishment
  - Incorrect package insert or carton label
  - Incorrect or missing active ingredient

Steps to Address and Close ULs or WLs

- Make corrections and resubmit
  - Send us the Core-ID or the Submission–ID for review
- Corrections to the errors in the UL or WL – will likely need manual overrides before acceptance

Manual Override Process

- Compliance officer will review the corrections
- Once all errors are addressed, CDER will approve a manual override
- Forward the submission and CDER's approval to the SPL Coordinator to manually load the data
- Once updated and correct file is uploaded – case is close
  - Closeout letter is issued for resolved warning letters
  - Data is released back for publication
  - Status changes to active, current, and certified

Importance and Impacts of ULs and WLs

- If UL or WL is not resolved
  - Data remains unavailable in NDC Directory
  - SPLs with WLs are indexed in DailyMed
  - Data may get inactivated at next scheduled inactivation period
  - Possible issues or delays with product importation due to open compliance case

Tips to Avoid ULs and WLs

- Follow registration and listing requirements under 21 CFR 207
- Learn the latest automated validation rules
  - SPL Implementation Guide
- Make sure registration and labeler contact information is up to date and current
- Respond to the deficiency letter with corrections within 30 days

Challenge Question 1

- Which of the following may be reasons to issue an UL?

  A. Drug not listed

  B. Incorrect NDC

  C. Unregistered establishment

  D. Incorrect active ingredient

Challenge Question 2

Which of the following statements is correct?

A. Closeout letters are issued after firm makes corrections in response to an UL

B. ULs are posted on FDA webpages

C. When requesting a manual override, firms need to send FDA the Core-ID or Submission-ID

D. Failure to register an establishment may lead to an untitled letter

Summary

- ULs and WLs are issued to firms that are not compliant with R&L requirements
- Firms are legally required to submit correct and complete information to FDA
- Important to quickly review and respond with corrections – maintains data integrity

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Questions?

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