

# **SOPP 8101.1: Regulatory Meetings with Sponsors and Applicants for Drugs and Biological Products**

**Version:** 6

**Effective Date:** October 1, 2017

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## **I. Purpose**

- A.** This Standard Operating Policy and Procedure (SOPP) serves as a guide for the Center for Biologics Evaluation and Research (CBER) staff for scheduling and conducting regulatory meetings between individuals in CBER and representatives of the regulated industry (including sponsors/applicants of user fee related products) and/or individual sponsor-investigators to address issues relating to product development.

## **II. Scope**

- A.** This SOPP applies to meetings for Investigational New Drugs (INDs), Abbreviated/New Drug Applications (A/NDAs), Biologics License Applications (BLAs), and their respective pre-submissions, amendments and supplements.
- B.** This SOPP applies to products covered by the Biosimilar User Fee Act (BsUFA), the Generic Drug User Fee Act (GDUFA), and the Prescription Drug User Fee Act (PDUFA).
- C.** This SOPP does not apply to device submissions covered by the Medical Device User Fee Act (MDUFA).

## **III. Background**

- A.** Meetings with industry and sponsor-investigators are a forum for the Agency to provide guidance to representatives of the regulated industry (including sponsors/applicants of user fee related products) and/or individual sponsor-investigators during product development and facility design, and to facilitate their compliance with the regulations governing development and post-approval marketing of products.
- B.** While meetings are usually requested by sponsors or applicants or individual sponsor-investigators, CBER will occasionally suggest that a meeting be scheduled.
- C.** The conduct of these meetings and additional information is further described in the appropriate appendix of this SOPP and the following guidance documents:

1. *Guidance for Industry: Formal Meetings between the FDA and Sponsors or Applicants* (May 2009)
2. *Draft Guidance for Industry: Formal Meetings between the FDA and Sponsors or Applicants of PDUFA Products*. CDER/CBER, March 2015. This guidance revises the *Guidance for Industry-Formal Meetings between the FDA and Sponsors or Applicants* issued in May 2009. After it has been finalized; this guidance will replace the May 2009 guidance.
3. *Guidance for Industry: Formal Meetings Between the FDA and Biosimilar Biological Product Sponsors or Applicants* (Nov 2015)

## IV. Definitions

### A. General

1. **Formal Meeting** – for purposes of this SOPP, formal meeting includes any meeting requested by a sponsor or applicant (requester) following the procedures provided in this SOPP and the appropriate guidance documents.

### B. BsUFA meetings

1. **Biosimilar Initial Advisory Meeting** - an initial assessment limited to a general discussion regarding whether licensure under section 351(k) of the Public Health Service Act may be feasible for a particular product, and, if so, general advice on the expected content of the development program. **Note:** Such term does not include any meeting that involves substantive review of summary data or full study reports.
2. **BPD Type 1 Meeting** - a meeting which is necessary for an otherwise stalled drug development program to proceed (e.g. meeting to discuss clinical holds, dispute resolution meeting), a special protocol assessment meeting, or a meeting to address an important safety issue.
3. **BPD Type 2 Meeting** - a meeting to discuss a specific issue (e.g., proposed study design or endpoints) or questions where FDA will provide targeted advice regarding an ongoing biosimilar biological product development program. **Note:** Such term may include substantive review of summary data, but does not include review of full study reports.
4. **BPD Type 3 Meeting** - an in-depth data review and advice meeting regarding an ongoing biosimilar biological product development program. **Note:** Such term includes substantive review of full study reports, FDA advice regarding the similarity between the proposed biosimilar biological product and the reference product, and FDA advice regarding additional studies, including design and analysis.

- 5. BPD Type 4 Meeting** - a pre-submission meeting to discuss the format and content of a complete application for an original biosimilar biological product application under the Program or supplement submitted under 351(k) of the PHS Act. **Note:** Please refer to the BsUFA Meeting appendix of this SOPP for additional information on BPD Type 4 Meetings.

### C. GDUFA meetings

- 1. Pre-Submission Meeting** – a meeting in which an applicant has an opportunity to discuss and explain the format and content of an ANDA to be submitted. **Note:** Although the proposed content of the ANDA will be discussed, pre-submission meetings will not include substantive review of summary data or full study reports.
- 2. Product Development Meetings** – a meeting involving a scientific exchange to discuss specific issues (e.g., a proposed study design, alternative approach or additional study expectations) or questions, in which FDA will provide targeted advice regarding an ongoing ANDA development program.

### D. PDUFA meetings

- 1. Type A Meeting** - A meeting which is necessary for an otherwise stalled drug development program to proceed (a “critical path” meeting) or to address an important safety issue.
- 2. Type B Meeting**- Type B meetings include Pre-IND, or a Pre- BLA/NDA meeting.
- 3. Type B (EOP) Meeting**- reserved for certain End-of-Phase meetings (i.e., for 21 CFR Part 312 Subpart E or 21 CFR Part 314 Subpart H or similar products) and End of Phase 2/Pre-Phase 3 meetings.
- 4. Type C Meeting**- Any meeting other than a Type A, Type B or Type B (EOP) meeting regarding the development and review of a product. **Note:** Type C meetings include meetings to discuss early consultation on the use of new surrogate endpoints.

## V. Policy

### A. General

1. CBER will refer all inquiries regarding meetings to the applicable guidance documents listed in the reference section, applicable ICH Guidances, and this SOPP. The requester is expected to have reviewed all relevant documents in preparation for submitting the meeting request and meeting package. For product specific meeting information, please refer to the appropriate appendix of this SOPP.

- 2.** In accordance with 21 CFR 10.65(e) and FDA policy, meetings with sponsors and applicants may not be electronically recorded. The official record of the meeting will be the FDA-generated meeting minutes.
- 3.** The Pediatric Research Equity Act of 2003 (PREA) (amendment to FD&C Act, section 505 and 351 of PHS Act) requires that before and during the investigational process of a new drug or biological product, FDA will discuss plans and timelines for pediatric studies or any planned request for waiver or deferral of pediatric studies with the sponsor or applicant at appropriate times.
- 4.** To assure that the statutory requirements are met in a timely manner, requesters should be advised (at the time the meeting is scheduled) that their pediatric development plan will be discussed, and where applicable, CBER will request this plan (or deferral or waiver request) be submitted after the meeting. The status will be recorded in the meeting minutes.
  - a.** See *Draft Guidance for Industry: How to Comply with the Pediatric Research Equity Act (Sept 2005)* and
  - b.** *Draft Guidance for Industry: Pediatric Study Plans: Content of and Process for Submitting Initial Pediatric Study Plans and Amended Initial Pediatric Study Plans* for additional information on pediatric requirements.
- 5.** Requirements for electronic submissions
  - a.** Under Section 745A(a) of the FD&C Act, sponsors/applicants will be required to submit information electronically in the appropriate FDA-supported formats (Electronic Common Technical Document (eCTD)) for certain BLAs, NDAs, and Abbreviated New Drug Applications (ANDAs).
  - b.** Submissions that are not submitted electronically and electronic submissions that are not in a format that FDA can process, review, and archive will not be filed or received, unless exempted from these requirements.
  - c.** Please see the *Guidance for Industry: Providing Regulatory Submissions in Electronic Format: Certain Human Pharmaceutical Product Applications and Related Submissions using the eCTD Specifications*, for complete eCTD requirements and exceptions under References.
- 6.** Performance Goals:

- a.** For products covered by user fees, the performance goals established in the most current user fee goal or commitment letter will be met.
- b.** For products not covered by user fees, the procedures set forth in this document will be used; however, the performance goals will not apply. CBER will make every effort to respond to meeting requests and meet with sponsor/applicants of non-user fee products as expeditiously as possible.

## **B. Meeting Requests**

- 1.** Meeting requests will be evaluated promptly and meetings will be scheduled and completed within the goal dates for the appropriate product type. If a request for a BsUFA meeting is received, contact the Associate Director for Review Management prior to granting the meeting.
- 2.** Sponsors and or applicants are encouraged to define in the meeting request the specific areas of input requested from CBER. The questions submitted to CBER within a single meeting request should be limited to those that can be reasonably answered within the allotted meeting time, taking into consideration the complexity of the questions considered.
- 3.** Requestors may request a Written Response (WRO) to their questions rather than a Face-to-Face meeting, or teleconference.
  - a.** In some cases, while the requester may request a Face-to-Face, or teleconference meeting, CBER may determine that a written response to the requester's questions would be the most appropriate means for responding to the meeting request.
    - i.** For BsUFA products, this applies to Biosimilar Initial Advisory and BPD Type 2 meetings only.
    - ii.** For GDUFA products, this applies to Product Development Meetings only.
    - iii.** For PDUFA products this applies to pre-IND and Type C meetings only. **Note:** Type C meetings for early consultation on the use of new surrogate endpoints cannot be converted by CBER to a WRO.
  - b.** If CBER makes the determination to send Written Responses Only (WRO) after review of the meeting package, CBER shall notify the requester of the change in meeting format and the date CBER intends to send a response (will not be later than the scheduled meeting) no later than 5 business days prior to the scheduled meeting. The requester will be notified by telephone or other rapid

means of communication followed by a written confirmation using regulatory template *T 820.08: Meeting Rescheduled/Change in Format* template.

- 4.** To be considered a complete request, and one that qualifies for the user fee performance goals, the submission should be in writing and include the information based on the product type outlined in the appropriate appendix of this SOPP.
- 5.** For pre-BLA meeting requests for blood establishments, the Office of Blood Research and Review (OBRR), Division of Blood Components and Devices (DBCD), Blood and Plasma Branch (BPB) will process the meeting request.
- 6.** PDUFA Meetings:
  - a.** For Type C meeting requests to discuss facility/establishment issues prior to submission of the application, the Office of Compliance and Biologics Quality (OCBQ), Division of Manufacturing and Product Quality (DMPQ) will process the request.
  - b.** Separate meetings for manufacturing, clinical, and/or establishment issues could be suggested by CBER if the proposed agenda includes extensive discussion of more than one of these topics. CBER may choose to combine agendas if the objectives can be met in one session.
  - c.** Generally, except for products granted breakthrough therapy designation status, only one of each of the Type B meetings for each potential application will be granted, but CBER can do so when it would be beneficial to hold separate meetings to discuss unrelated issues.
- 7.** Pre-BLA/NDA meetings:
  - a.** The purpose of the meeting is to discuss the planned content of the application with the appropriate CBER review division. Applicants are strongly encouraged to request this meeting.
  - b.** The pre-BLA/NDA meeting should be requested sufficiently in advance of the planned submission of the application to allow for meaningful response to CBER feedback and should generally occur not less than two (2) months prior to the planned submission of the application. Thus, the meeting request should be submitted at least four (4) months prior to application submission.
  - c.** The Applicant and CBER may agree to a Formal Communication Plan as an alternative approach to the timing and nature of interactions and information exchange between the Applicant and

CBER during the BLA/NDA review. Refer to *R 910.05: Formal Communication Plan for Interactions and Information Exchange between the Applicant and FDA during Review of an Original BLA or NME NDA* for additional information.

### **C. Scheduling the meeting**

1. If the requested date for any meeting type is greater than the specified timeframe in the most recent goals letter, the meeting date should be within 14 calendar days of the requested date.
2. Regulatory template *T 820.03: Meeting Confirmation* will be used to confirm the logistics of the meeting once scheduled.
3. Refer to regulatory references *R 910.02: Attendee Table for BLA/NDA Meetings* or *R 851.01: Attendee Table for Meetings for Breakthrough Therapy-Designated Products During the IND Review Phase* for required CBER attendees.

### **D. Meeting packages**

1. Meeting packages are prepared by the requester and submitted to CBER according to the schedule in the appropriate appendix of this SOPP based on the product type (i.e., BsUFA, GDUFA, or PDUFA). See the appropriate appendix for additional information on the content of meeting packages.
2. The meeting package provides summary information relevant to the product and supplementary information needed to develop responses to issues raised by the requester.
3. It's critical that the entire meeting package content support the intended meeting objectives and be organized according to the proposed agenda.

### **E. Reasons a meeting may not be held**

1. The request for a meeting may be **denied**. Denials will be based on a substantive reason, not merely on the absence of a minor element of the meeting request or a minor element of the meeting package.
2. If a meeting request is denied, the requester will be given a reason for the denial. Regulatory template *T 820.07: Meeting Denied* will be used to convey to the requester the reasons for the denial. Examples of reasons for denial are included below:
  - a. The meeting request is substantially incomplete based on the omission of one of more of the elements identified in the current user fee goal letter.
  - b. The meeting is premature for the stage of development.

- c. A previous meeting for the same purpose has already been held and no substantially new information has become available.
  - d. The requested feedback is not appropriate for a meeting with CBER at this time and would be best provided through another Office, for example, the Office of Combination Products. CBER will generally inform the requester of the correct Office.
3. The meeting may be **rescheduled** by CBER and a new date immediately identified. If the meeting is rescheduled, the requester will be notified by telephone or other rapid means of communication followed by a written confirmation. Regulatory template *T 820.08: Meeting Rescheduled/Change in Meeting Format* will be used to confirm the logistics of the meeting once rescheduled. Examples of reasons for rescheduling a meeting include:
- a. The requester asked to reschedule the meeting and a new date is immediately identified.
  - b. The requester experiences a minor delay in submitting the meeting package. The requester and CBER agree on the timeline for submitting the meeting package.
  - c. The package is too voluminous to review prior to the original meeting date.
  - d. The package includes an excessive number of questions (for example, more than 10 for any one discipline or a total of more than 30 for all disciplines) that could not be addressed effectively in the meeting time allotted.
  - e. Additional consult reviewers or management input is needed, but cannot be obtained prior to the original meeting date.
  - f. Required CBER attendees become unexpectedly unavailable and appropriate substitutes cannot be identified.
  - g. Additional information was received after receipt of the meeting package.
4. The meeting may be **canceled** by CBER. If the meeting is canceled, the requester will be notified by telephone or other rapid means of communication followed by a written confirmation. Regulatory template *T 820.09: Meeting Cancellation* or *T 820.08: Meeting Rescheduled/Change in Meeting Format* will be used to confirm the meeting cancellation. Examples of reasons for canceling a meeting include:
- a. The meeting package was not received by the User Fee goal date.



- b.** The meeting package is grossly inadequate to enable CBER to provide meaningful responses to the questions. Examples of this situation include questions that are either vague or premature for meeting type.
- c.** Additional reasons for cancelation:
  - i.** Requester is satisfied with the CBER preliminary meeting responses and cancels the meeting. If the requester wants to cancel the meeting, a written confirmation should be sent to CBER.
  - ii.** The requester asks to cancel the meeting for any other reason.
  - iii.** CBER made the decision to send Written Responses Only (WRO) rather than hold the Face-to-Face meeting, or teleconference.

## **F. Internal Meetings**

- 1.** An internal meeting prior to the formal meeting with a requester will be scheduled. The internal meeting is an opportunity for the FDA to formulate a consensus on its responses to the requester's questions and to identify additional issues or comments to share with the requester.
- 2.** The internal meeting should include all persons invited to attend the meeting with the requester.

## **G. Preliminary Meeting Responses**

- 1.** CBER will send preliminary meeting responses to the sponsor's or applicant's questions contained in the meeting package prior to the formal meeting according to the timelines in the appropriate appendix of this SOPP.
- 2.** The preliminary meeting responses are not final until CBER and the requester agree that no further discussion is needed.
- 3.** Regulatory template *T 820.04: Written Responses or Preliminary Meeting Responses* will be used to send the preliminary meeting responses to the requester.
- 4.** Preliminary meeting responses will not be edited by CBER as part of the meeting summary if the sponsor or applicant meets with CBER.

## **H. Meeting with sponsor or applicant**

- 1.** Pre-BLA/NDA Meetings

- a.** Although pre-BLA/NDA meetings are not required, CBER strongly encourages these meetings to discuss the proposed planned content of the application with the appropriate review division.
  - b.** At the pre-BLA/NDA meeting, CBER and the Applicant will agree on the content of a complete application for the proposed indication(s), including preliminary discussions on risk management actions.
  - c.** For those products that qualify under the PDUFA Program, CBER and the Applicant may also reach agreement on submission of a limited number of application components not later than 30 calendar days after the submission of the original application. Refer to the most recent PDUFA goals letter for additional information.
- 2.** For meetings with CBER at the White Oak campus:
  - a.** The meeting coordinator will need to provide the building's security personnel with a list of outside attendees at least five (5) business days before the meeting.
  - b.** If the attendee list changes prior to the meeting, the requester should contact the CBER meeting point of contact.
  - c.** If the attendee list includes a foreign visitor, please allow a minimum of thirty (30) days for submitting the information for processing.
  - d.** Participants should be reminded to arrive at the White Oak campus with sufficient time to undergo security screening.
  - e.** All visitors are required to go through vehicle screening and to park in designated Visitor parking areas. Shuttle service is provided from the shuttle shelters located on Northwest Loop Road.

## **I. Meeting Minutes**

- 1.** CBER meeting minutes are the official record of the meeting and should be issued no later than 30 calendar days following the meeting.
- 2.** Meeting minutes reflect discussions that occurred during the meeting.
  - a.** A section clearly identifiable as information not having been discussed during the meeting, e.g., 'Post-meeting comments,' should be included as necessary. Examples of this type information includes:
    - i.** CBER responses to post-meeting Action Items offered to be provided in the minutes.

- ii.** Clarification of comments made by CBER during the meeting.
- 3.** The meeting requester is responsible for notifying CBER of any significant differences in their understanding of the meeting outcomes (as reflected in the official CBER minutes).
  - a.** CBER will make every effort to resolve differences in the minutes and the understanding of the meeting outcomes identified by the requester. This does not include discussion of new or alternative questions from those that were addressed during the meeting. Requests for evaluation of an alternative approach represent a new meeting request.
  - b.** If, after discussions with the requester, CBER deems it necessary to effect a change to the official minutes, the changes will be documented in an addendum to the official minutes. The addendum will also document any continued requester objections.
  - c.** If policy issues or requirements related to a particular application that emerge during or after a formal meeting cannot be resolved with the office that held the meeting, the dispute resolution process may be invoked by the requester.

**4.** Requester's meeting minutes

- a.** In accordance with 21 CFR 10.65(f), the requester, or other meeting participant, may prepare and submit to CBER a memorandum summarizing their understanding of issues discussed at the meeting. This memorandum, if provided by the requester, will be included, along with CBER's summary, in the administrative record.
  - i.** Drafts of meeting minutes prepared by the requester are not the official minutes of the meeting.
  - ii.** Minutes prepared by the requester may or may not be considered during the preparation of the official CBER minutes.

**VI. Responsibilities**

- A. Chair** – Coordinates, with the RPM, formal meetings with sponsors/applicants as outlined in this SOPP. **Note:** The Cross Discipline Team Leader (CDTL) as referred to in the PDUFA Program is the same as the Chair within CBER.
- B. Document Control Center (DCC)** –Processes all incoming meeting requests and meeting packages, including loading electronic submissions into CBER's

Electronic Document Room (EDR), routing paper submissions to the appropriate review Office and filing the paper submissions.

- C. Office Management** – Supervisory chain, including Division Directors or designees, within a Division that evaluates the meeting request and makes the decision on whether or not to hold the meeting; participates in the evaluation of the meeting package; participates in the meeting; and works with the Review Committee as necessary.
- D. Regulatory Information Specialist (RIS)** – Coordinates with the RPM to schedule and organize formal meetings with sponsors/applicants.
- E. Regulatory Project Manager (RPM)** –Overall management of the meeting request. These responsibilities include: reviewing assigned sections, ensuring the requested meeting and associated internal meetings are scheduled; ensuring regulatory and administrative actions are completed on time, including all notifications to requester are sent; performs quality control checks; ensures all communications are entered in the appropriate regulatory database/system and imported into CBER’s Electronic Document Room (EDR); and ensures the file is administratively complete.
- F. Review Committee Member** - Reviews meeting requests and packages, participates in internal and formal meetings, and provides comments for the internal discussion, preliminary meeting responses and/or written responses.

## **VII. Procedures**

### **A. Processing a meeting request**

#### **1. For paper submissions:**

- a.** Receive, process, log into CBER’s Document Accountability Tracking System (DATS); maintain the original copy in DCC as the uncirculated record copy. **[DCC]**
- b.** Forward all meeting requests to the Application Division of the appropriate Office, according to the list below. **[DCC]**
  - i.** Office of the Director (IOD), Review Management (RM), Regulatory Management Staff (RIMS);
  - ii.** Office of Biostatistics and Epidemiology (OBE), Division of Epidemiology (DE);
  - iii.** Office of Blood Research and Review (OBRR), Regulatory Project Management Staff (RPMS);

- iv. Office of Tissues and Advanced Therapies (OTAT), Division of Regulatory Project Management (DRPM);
- v. Office of Compliance and Biologics Quality (OCBQ), Division of Manufacturing and Product Quality (DMPQ);
- vi. Office of Vaccines Research and Review (OVR), Division of Vaccines and Related Products Applications (DVRA).

**2. For electronic submissions:**

- a. Process electronic submissions and notify the appropriate Office per *DCC Procedure Guide 22: Procedure for Processing, Routing and Storing Electronic Submissions* [DCC]
- b. Maintain the original copy in DCC as the record copy. [DCC]

**3. Coordinate the meeting request. [RPM, RIS]**

- a. Act as the contact person between the Agency and the outside requester. [RPM]
- b. Notify and coordinate with other staff, as needed. [RPM, RIS]
- c. Refer to regulatory job aid *JA 910.09: Pre-Submission Meetings for BLAs and NDAs* for additional information, as appropriate.

**4. Ensure that the necessary information is entered into the appropriate regulatory database/system and the CBER Regulatory Meetings Tracking System (CRMTS), as appropriate. [RPM, RIS]**

**5. Evaluate the initial request for completeness based upon the elements listed in the appropriate appendix of this SOPP. See regulatory job aid *JA 820.07: Evaluating the Meeting Request* for additional information. [Office Management, Review Committee Members]**

**6. Make the decision on whether or not the meeting will be held. [Division Director or designee]**

**7. Notify the requester of CBER's decision. [RPM, RIS]**

**8. If there is agreement the meeting should not proceed:**

- a. Notify the requester that the meeting request is denied using regulatory template *T 820.07: Meeting Denied*. [RPM]
- b. Update CRMTS and the relevant database with the appropriate information. [RPM, RIS]

9. If there is agreement the meeting should proceed: **[RPM, RIS]**
  - a. Notify the requester using regulatory template *T 820.03: Meeting Confirmation* within the appropriate timeframe.
  - b. Ensure all appropriate persons are identified and invited to attend both the internal and formal meeting. Ensure information is added to the appropriate Office calendar.
  - c. Update CRMTS and the relevant database with all appropriate information.

## **B. Internal meeting**

1. Preparing for the meeting:
  - a. Forward all meeting packages to the Application Division or Regulatory Management Staff of the appropriate Office and/or RIMS. **[DCC]**
  - b. Receive and distribute meeting packages to the Review Committee and Office management. **[RPM, RIS]**
  - c. Evaluate meeting package. **[Review Committee Members, Office Management as appropriate]**
  - d. Evaluate whether all appropriate disciplines and participants, including Special Government Employees (SGEs), have been included (CBER internal meeting and formal meeting with requester). **[RPM, Review Committee Chair]**
  - e. Review the meeting package prior to the meeting. **[Meeting Attendees]**
    - i. Persons unable to attend the internal meeting are expected to submit comments for the preliminary meeting responses.
    - ii. If appropriate, an alternate may participate in the internal meeting and participate in the formal meeting.
  - f. Engage in communications among themselves to develop their preliminary meeting responses if additional collaboration prior to the internal meeting is needed. **[Review Committee Members, Office management]**
  - g. Draft responses to the requester's questions and submit them for committee review at least 24 hours prior to the internal meeting. **[Review Committee Members]**

## 2. Meeting (CBER internal)

- a. Discuss issues that arise during the review of the meeting package in addition to the questions received by the requester. **[Review Committee Members]**
- b. Ensure CBER responses to the internal meeting are discussed and resolved. **[RPM, Review Committee Members]**
- c. Ensure specific assignments, including roles and responsibilities, are defined for FDA/CBER staff to follow during the formal meeting. A leader and meeting recorder should be designated and reviewers should be aware of the questions they will address. **[Review Committee Members]**
- d. Make decision during the internal meeting whether Written Responses Only (WRO) are to be sent and whether the formal meeting will be rescheduled or canceled. **[Review Committee Members]**
- e. Concur with decision to send WRO or preliminary meeting responses. **[Branch Chief]**
- f. Notify requester: **[RPM]**
  - i. Of change of meeting format and date when responses will be provided if CBER decided to send Written Responses Only (no later than date of scheduled meeting).
  - ii. By telephone or other rapid means of communication no later than 5 business days prior to the scheduled meeting; send written confirmation using regulatory template *T 820.08: Meeting Rescheduled/Change in Meeting Format*.
  - iii. Refer to regulatory job aid *JA 820.03: Procedures for Written Responses Only (WRO) to Meeting Requests* for additional information.

## 3. Preparing CBER preliminary meeting responses:

- a. Ensure comments for the preliminary meeting responses are forwarded to the RPM. **[Review Committee Members]**
- b. Ensure preliminary meeting responses are circulated for comment. **[RPM]**

- c. Review and comment on preliminary meeting responses prior to issuance to the requester. **[Review Committee Members]**  
**Note:** Persons who were unable to attend the internal meeting are responsible for reading and commenting on the preliminary meeting responses prior to issuance.
- d. Finalize preliminary meeting responses, including routing through Review Committee as appropriate. **[RPM]**

### **C. Written Responses Only (WRO)**

1. These procedures are followed when WRO are sent to the requester with no expectation of a formal meeting:
  - a. Send Written Responses to the requester using the timeline in the appropriate appendix of this SOPP using regulatory template *T820.04: Written Responses or Preliminary Meeting Responses*. **[RPM]**
  - b. Update information in appropriate regulatory databases. **[RPM, RIS]**

### **D. Preliminary Meeting Responses**

1. These procedures are followed when preliminary meeting responses are sent to the requester with the expectation of holding the formal meeting.
  - a. Send preliminary meeting responses to the requester before the formal meeting using regulatory template *T820.04: Written Responses or Preliminary Meeting Responses* according to the timeline in the appropriate appendix of this SOPP. **[RPM, RIS]**
  - b. Include a request for a response to CBER confirming the requester's plan for proceeding with the formal meeting.
2. If the requester sent written confirmation of their decision to cancel the meeting:
  - a. Notify FDA/CBER attendees of cancellation. **[RPM]**
  - b. Notify requester of cancellation using regulatory template *T 820.09: Meeting Cancellation*. **[RPM]**
  - c. Ensure all relevant databases are updated. **[RPM]**
3. If the requester wants to proceed with the formal meeting:
  - a. Notify appropriate FDA/CBER attendees of the meeting status and possible changes to the meeting agenda. **[RPM]**



- b. Ensure all relevant databases/systems are updated. **[RPM]**

## **E. Meeting with the Sponsor/Applicant**

1. Face-to-Face meetings: **[RPM]**
  - a. Confirm all attendees are entered in the FDA Lobby Guard system
  - b. Coordinate arrival of attendees
  - c. Escort attendees while on White Oak campus
2. Conduct the meeting **[Chair, RPM]**

## **F. Post meeting activities**

1. Draft a meeting summary; ensure it is reviewed and finalized using regulatory template *T820.06: Meeting Summary*. **[RPM, Review Committee Members]**
2. Ensure all meeting attendees and supervisors review and agree on the draft minutes prior to finalizing. **[RPM]**
3. Ensure the finalized meeting summary is transmitted to the requester within 30 calendar days of the formal meeting. **[RPM, RIS]**
4. Coordinate the appropriate response (e.g., guidance on a course of action or arranging a teleconference) if clarification is requested for items in the official minutes. **[RPM]**
5. Document any changes to the official minutes, after discussion with the requester, in an addendum to the official minutes. The addendum will also document any continued objections raised by the requester. **[RPM]**
6. Resolve differences that may be identified by the requester between CBER's minutes and the requester's understanding of the meeting outcomes. Refer to *SOPP 8005: Major Dispute Resolution*, as appropriate. **[Division Director or designee]**
7. Enter all communications with the requester in the appropriate regulatory database and import into CBER's EDR. **[RPM, RIS]**

## **G. Meeting rescheduled**

1. Notify requester by telephone or other rapid means of communication followed by a written confirmation using regulatory template *T820.08: Meeting Rescheduled/Change in Meeting Format*. **[RPM]**
2. Update all appropriate regulatory databases/systems. **[RPM]**

3. Notify FDA/CBER attendees. **[RPM]**

#### **H. Meeting cancellation**

1. Notify requester by telephone or other rapid means of communication followed by a written confirmation using regulatory template *T820.09: Meeting Cancellation*. **[RPM]**
2. Update all appropriate regulatory databases. **[RPM]**
3. Notify FDA/CBER attendees. **[RPM]**

#### **VIII. Appendix**

**A.** [BsUFA Meeting Information](#)

**B.** [GDUFA Meeting Information](#)

**C.** [PDUFA Meeting Information](#)

#### **IX. References**

**A.** References below are located on CBER's Intranet Web page:

1. DCC Procedure Guide 22: Procedure for Processing, Routing and Storing Electronic Submissions
2. Regulatory Job Aids:
  - a. JA 820.03: Written Responses to Meeting Requests
  - b. JA 820.07: Evaluating the Meeting Request
  - c. JA 910.09: Pre-Submission Meeting for BLAs and NDAs
3. Regulatory References
  - a. R 910.02: Attendee Table for all Meeting Types Associated with PDUFA
  - b. R 851.01: Attendee Table for Meetings for Breakthrough Therapy-Designated Products during the IND Review Phase
4. Regulatory Templates:
  - a. T 820.03: Meeting Confirmation
  - b. T 820.04: Written Responses or Preliminary Meeting Responses

- c. T 820.06: Meeting Summary
  - d. T 820.07: Meeting Denied
  - e. T 820.08: Meeting Rescheduled/Change in Meeting Format
  - f. T 820.09: Meeting Cancellation
5. CBER Regulatory Meetings Tracking System Database (CRMTS) User Guide
  6. Biologics Information Tracking System (BITS) User Guide

**B. References below can be found in the Internet:**

1. Federal Food Drug and Cosmetic (FD&C)

<https://www.fda.gov/RegulatoryInformation/LawsEnforcedbyFDA/FederalFoodDrugandCosmeticActFDCA/default.htm>

2. Pediatric Research Equity Act of 2007 (PREA)

<http://www.fda.gov/downloads/Drugs/DevelopmentApprovalProcess/DevelopmentResources/UCM049870.pdf>

3. 21 Code of Federal Regulations

<https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm>

4. User Fee Information

- a. Biosimilar User Fee Act (BsUFA)

<https://www.fda.gov/ForIndustry/UserFees/BiosimilarUserFeeActBsUFA/default.htm>

- b. Generic Drugs: Information for Industry

<https://www.fda.gov/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/ApprovalApplications/AbbreviatedNewDrugApplicationANDAGenerics/ucm142112.htm>

- c. Prescription Drug User Fee Act (PDUFA)

<http://www.fda.gov/ForIndustry/UserFees/PrescriptionDrugUserFee/default.htm>

5. Guidance Documents:

- a.** Guidance for Industry: Formal Meetings Between the FDA and Sponsors or Applicants (May 2009)  
<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM079744.pdf>
- b.** Draft Guidance for Industry: Formal Meetings Between the FDA and Sponsors or Applicants of PDUFA Products (March 2015)  
<https://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM437431.pdf>
- c.** Guidance for Industry: Formal Meetings Between the FDA and Biosimilar Biological Product Sponsors or Applicants (November 2015)  
<https://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM345649.pdf>
- d.** Draft Guidance for Industry: How to Comply with the Pediatric Research Equity Act (September 2005)  
<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/ucm079756.pdf>
- e.** Draft Guidance for Industry: Pediatric Study Plans: Content of and Process for Submitting Initial Pediatric Study Plans and Amended Initial Pediatric Study Plans (March 2016)  
<http://www.fda.gov/downloads/drugs/guidancecomplianceregulatoryinformation/guidances/ucm360507.pdf>
- f.** Guidance for Industry: Special Protocol Assessment (May 2002)  
<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM080571.pdf>
- g.** Guidance for Industry: Formal Dispute Resolution: Appeals above the Division Level (February 2000)  
<http://www.fda.gov/downloads/RegulatoryInformation/Guidances/UCM126015.pdf>
- h.** Draft Guidance for Industry and Review Staff: Formal Dispute Resolution: Appeals above the Division Level, Good Review Practice (September 2015)  
<https://www.fda.gov/downloads/drugs/guidancecomplianceregulatoryinformation/guidances/ucm343101.pdf>

**6. CBER SOPPs:**

**a. SOPP 8005: Major Dispute Resolution Process**

<http://www.fda.gov/BiologicsBloodVaccines/GuidanceComplianceRegulatoryInformation/ProceduresSOPPs/ucm109574.htm>

**X. History**

| <b>Written/Revision</b>    | <b>Approved</b>           | <b>Approval Date</b> | <b>Version Number</b> | <b>Comment</b>   |
|----------------------------|---------------------------|----------------------|-----------------------|--|
| Linda Dixon, BPS           | Christopher Joneckis, PhD | September 26, 2017   | 6                     | Updated to include BsUFA II, GDUFA II and PDUFA VI procedures  |
| Linda Dixon, Working Group | Robert, Yetter, PhD       | Oct 5, 2012          | 5                     | Updated to include PDUFA V information and updated procedures  |
| Leonard Wilson/ Lydia Falk | Robert, Yetter, PhD       | May 4, 2007          | 4                     | Updated to include updating the status of PREA studies and Quality System implementation                                   |
| Leonard Wilson             | Robert Yetter, PhD        | Dec 23, 2002         | 3                     | Updated mail code and appendix 1; added references to PDUFA 3  |
| Robert Yetter, PhD         | Robert Yetter, PhD        | Aug 15, 2002         | 2                     | Added reminder for sponsors to use Special Protocol Assessment (SPA); added link as appendix; revised appendices numbering |
| RMCC                       | Rebecca Devine            | Feb 11, 1999         | 1                     | Original Document  |

## **SOPP 8101.1 - Appendix A: BsUFA Meetings**

### **I. Meeting Examples and Additional Information**

#### **A. Biosimilar Initial Advisory Meeting**

##### **1. Additional information:**

- a.** Preliminary comparative analytical similarity data from at least one lot of the proposed biosimilar biological product compared to the U.S. licensed reference product should be provided in the meeting package.
- b.** The analytical similarity data should be sufficient to enable the FDA to make a preliminary determination as to whether licensure under section 351(k) of the PHS Act may be feasible for a particular product, and to provide meaningful advice.
- c.** A general overview of the development program, including synopses of results and findings from all completed studies and information about planned studies also should be provided.
- d.** Extensive analytical, nonclinical and/or clinical data are not expected to be provided based on the expected stage of development of the proposed biosimilar biological product.
- e.** May request a Written Response Only (WRO) to the questions rather than a Face-to-Face, or teleconference.

#### **B. BPD Type 1 Meeting**

##### **1. Examples include:**

- a.** Meetings to discuss clinical holds: (1) in which the sponsor or applicant seeks input on how to address the hold issues or (2) in which a response to hold issues has been submitted and reviewed by the FDA, but the FDA and sponsor or applicant agree that the development is stalled and a new path forward should be discussed.
- b.** Special protocol assessment meetings that are requested after receipt of an FDA letter in response to protocols submitted under the special protocol assessment procedures as described in the BsUFA goals letter.
- c.** Meetings to discuss an important safety issue, when such an issue is identified and the FDA and sponsor or applicant agree that the issue should be discussed.
- d.** Dispute resolution meetings as described in 21 CFR 10.75 and 312.48 and in the BsUFA goals letter.

### **C. BPD Type 2 Meeting**

#### **1. Additional Information:**

- a.** This meeting can include substantive review of summary data, but does not include review of full study reports.
- b.** May request a Written Response Only (WRO) to the questions rather than a Face-to-Face or teleconference.

### **D. BPD Type 3 Meeting**

#### **1. Additional Information:**

- a.** Includes substantive review of full study reports or an extensive data package (e.g., detailed and robust analytical similarity data), FDA advice regarding the similarity between the proposed biosimilar biological product and the reference product based on a comprehensive data package, and FDA advice regarding the need for additional studies, including design and analysis, based on a comprehensive data package.

#### **2. Examples of a meeting submission include:**

- a.** Comprehensive analytical similarity data that permit FDA to make a preliminary evaluation of analytical similarity during development. The level of analytical data provided should be similar to what the sponsor or applicant intends to submit in a 351(k) BLA (e.g., full study reports and/or datasets that support the full study reports).
- b.** Full study report(s) for a clinical study(ies).

### **E. BPD Type 4 Meeting**

#### **1. The purpose of this meeting is to discuss the format and content of the planned submission and other items, including:**

- a.** Identification of those studies that the sponsor is relying on to support a demonstration of biosimilarity or interchangeability,
- b.** Discussion of any potential review issues identified based on the information provided,
- c.** Identification of the status of ongoing or needed studies to adequately to address the Pediatric Research Equity Act (PREA),
- d.** Acquainting FDA reviewers with the general information to be submitted in the marketing application (including technical information), and

- e.** Discussion of the best approach to the presentation and formatting of data in the marketing application.
- 2.** This meeting does not include substantive review of summary data or full study reports.

## **II. Meeting Management Procedural Goals**

- A.** As stipulated by statute, a sponsor or applicant must pay a biosimilar biological product development fee (BPD fee) to participate in the FDA's BPD program to receive a BPD Type 1, 2, 3, or 4 meeting for a product.
- B.** The Center may determine that a different type of meeting (i.e., Biosimilar Initial Advisory or BPD Type 1-4) is more appropriate and it may grant a meeting of a different type than requested which may require an additional user fee payment. Refer to the latest BsUFA goals letter for additional information.
- C.** When a request for a BsUFA Meeting is received, contact the Associate Director for Review Management prior to granting the meeting.



**Table 1: Summary of Meeting Management Procedural Goals**

| <b>Meeting Type</b>         | <b>FDA's Response to Request</b> | <b>FDA's Receipt of Meeting Package</b> | <b>FDA's Preliminary Responses to Requester (if applicable)</b> | <b>FDA's Scheduled Meeting Date (days from receipt of request) or WRO</b>                      | <b>FDA's Meeting Minutes to Requester (if applicable)</b> |
|-----------------------------|----------------------------------|---|---|--|---|
| Biosimilar Initial Advisory | 21 days                          | With meeting request                    | NA  | 75 calendar days from receipt of meeting request and background package [includes WRO request] | 30 days after meeting<br>NA - WRO                         |
| BPD Type 1                  | 14 days                          | With meeting request                    | NA  | 30 calendar days from receipt of meeting request and background package                        | 30 days after meeting                                     |
| BPD Type 2                  | 21 days                          | With meeting request                    | 5 calendar days   | 90 calendar days from receipt of meeting request and background package [includes WRO request] | 30 days after meeting<br>NA - WRO                         |
| BPD Type 3                  | 21 days                          | With meeting request                    | 5 calendar days   | 120 calendar days from receipt of meeting request and background package                       | 30 days after meeting                                     |
| BPD Type 4                  | 21 days                          | With meeting request                    | NA  | 60 calendar days from receipt of meeting request and background package                        | 30 days after meeting                                     |

**III. Content of Meeting Requests**

- A.** The product name
- B.** The application number (if applicable)

- C.** The proposed proper name (or proper name if post-licensure)
- D.** The structure (if applicable)
- E.** The reference product name
- F.** The proposed indication(s) or context of product development
- G.** The meeting type being requested (i.e., Biosimilar Initial Advisory Meeting, BPD Type 1, 2, 3, or 4 meeting). The rationale for requesting the meeting type should be included.
- H.** A brief statement of the purpose of the meeting. This statement should include a brief background of the issues underlying the agenda. It also can include a brief summary of completed or planned studies or data that the sponsor or applicant intends to discuss at the meeting, the general nature of the critical questions to be asked, and where the meeting fits in overall development plans. Although the statement need not provide detailed documentation of trial designs or completed studies and clinical trials, it should provide enough information to facilitate understanding of the issues, such as a small table that summarizes major results.
- I.** A listing of the specific objectives/ outcomes the requester expects from the meeting;
- J.** A proposed agenda, including estimated times needed for discussion of each agenda item not to exceed the total allotted meeting time
- K.** A list of proposed questions (grouped by discipline). Each question should be precise and there should be a brief explanation of the context and purpose of the question;
- L.** A list of all individuals with their titles and affiliation who will attend the requested meeting from the sponsor's or applicant's organization, including consultants and interpreters.
- M.** A list of FDA staff, if known, or disciplines, asked to participate in the requested meeting. Note that requests for attendance by FDA staff who are not otherwise essential to the application's review may affect the ability to hold the meeting within the specified time frame of the meeting type being requested. Therefore, when attendance by nonessential FDA staff is requested, the meeting request should state whether a later meeting date is acceptable to the requester to accommodate the nonessential FDA attendees.
- N.** The sponsor's proposal for a Face-to-Face meeting, teleconference or for a Written Response (Biosimilar Initial Advisory and BPD Type 2 meetings only)

- O.** Suggested dates and times (e.g. morning or afternoon) for the meeting that are within or beyond the appropriate time frame of the meeting type being requested.

#### **IV. Content of Meeting packages**

- A.** The meeting package should provide information relevant to the product, development stage and meeting type requested. Refer to *Section I: Meeting Examples and Additional Information* of this appendix for information on specific meeting types.
- B.** To facilitate FDA review, the meeting package content should be organized according to the proposed agenda.
  - 1.** The product name and application number (if applicable)
  - 2.** The proposed proper name (or proper name if post-licensure)
  - 3.** The structure (if applicable)
  - 4.** The reference product name
  - 5.** The proposed indication(s) or context of product development
  - 6.** The dosage form, route of administration, dosing regimen (frequency and duration), and presentation(s)
  - 7.** A list of all individuals, with their titles and affiliations, who will attend the requested meeting from the sponsor or applicant organization, including consultants and interpreters
  - 8.** A background section that includes the following:
    - i. A brief history of the development program
    - ii. The status of product development (e.g., chemistry, manufacturing, and controls; nonclinical; and clinical, including any development outside the United States, as applicable)
  - 9.** A brief statement summarizing the purpose of the meeting
  - 10.** A proposed agenda
  - 11.** A list of questions for discussion grouped by discipline with a brief summary for each question to explain the need or context of the question

**12.** Data to support discussion organized by discipline and question.  
The level of detail of the data should be appropriate to the meeting type requested and the product development stage.

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## SOPP 8101.1 - Appendix B: GDUFA Meetings

### I. Meeting Information

#### A. Scope

1. Mid-Cycle meetings for complex products are not included in this appendix. These meetings will be managed within the scope of the application review.

#### B. Product Development Meetings

1. Meeting may be requested, due to the following reasons:

- a. Development of a Complex Product for which FDA has not issued product-specific guidance or
- b. An alternative equivalence evaluation (i.e., change in study type, such as in vitro to clinical) for a Complex Product for which FDA has issued product-specific guidance
- c. A controlled correspondence response would not adequately address the prospective applicant's questions and
  - i. **Controlled correspondence** – a correspondence submitted to the Agency, by or on behalf of a generic drug manufacturer or related industry, requesting information on a specific element of generic drug product development
  - ii. Refer to *Guidance for Industry: Controlled Correspondence Related to Generic Drug Development* for additional information.
- d. A Product Development Meeting would significantly improve ANDA review efficiency.
- e. Unless FDA is providing a written response to satisfy the Product Development Meeting goal, FDA will provide preliminary written comments five calendar days before each Product Development Meeting.

2. The prospective applicant submits a complete meeting package, including a data package and specific proposals, with the meeting request.

#### C. Pre-Submission Meetings

1. If the applicant did not have a Product Development Meeting, the FDA may grant a pre-submission meeting if in FDA's judgement the pre-submission meeting would improve review efficiency.
2. If appropriate to the purpose of the meeting, FDA will provide preliminary written response five calendar days before each meeting.

## II. Meeting Management Procedural Goals

**Table 1:** Summary of Meeting Management Procedural Goals

| <b>Meeting Type</b>          | <b>FDA's Response to Request (granting or denying of meeting request)</b> | <b>FDA's Receipt of Meeting Package</b> | <b>FDA's Preliminary Responses to Requester (Not applicable to Written Responses Only (WRO))</b> | <b>FDA's Meeting Conducted Date</b>     | <b>FDA's Meeting Minutes to Requester (Not Applicable for WRO)</b> |
|------------------------------|---|---|--|---|--|
| Product Development Meetings | 14 days from receipt  | With meeting request                    | 5 calendar days before the meeting   | Within 120 days of granting the request | 30 days after the meeting  |
| Pre-Submission Meetings      | 14 days from receipt  | With meeting request                    | 5 calendar days before the meeting   | Within 120 days of granting the request | 30 days after the meeting  |

## III. Content of Meeting Requests (meeting package is contained within the request)

- A. The product name and application number, if already assigned;
- B. Chemical name and structure (if appropriate). If chemical name and structure is not appropriate, please include a description of your product;
- C. Proposed indication or context of product development;
- D. Type of meeting being requested;
- E. Dosage form, route of administration, and dosing regimen (frequency and duration);
- F. Combination product information (e.g., constituent parts, intended device, intended packaging, planned human factors studies), if applicable;

- G.** A brief statement summarizing the purpose of the meeting and identifying the type of milestone meeting, if applicable;
  - 1.** Include a description of the types of studies or data that the requester plans to discuss at the meeting.
  - 2.** For new products, include a description and the developmental status of the product.
- H.** A listing of the specific objectives or outcomes that the requester expects;
- I.** A proposed agenda, including estimated times needed for discussion of each agenda item;
- J.** A background section that includes the following:
  - 1.** A brief history of the development program and relevant communications with FDA prior to the meeting;
  - 2.** Substantive changes in product development plans (e.g. new indication, population, basis for a combination), when applicable;
  - 3.** The current status of product development.
- K.** A list of the questions for discussion grouped by FDA discipline with a brief summary for each question to explain the need or context for the question. Questions regarding combination products should be grouped together;
- L.** A list of planned external non-FDA attendees. A list of all individuals, with their titles and affiliations, who will attend the requested meeting from the requester's organization, including consultants and interpreters;
- M.** A list of requested participants or disciplines to be represented from the Center;
- N.** Requested format of meeting, e.g., face-to-face, teleconference or written format;
- O.** Suggested dates for the meeting;
- P.** Suggested duration of the meeting.

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## **SOPP 8101.1 - Appendix C: PDUFA Meetings**

### **I. Meeting Examples and Additional Information**

#### **1. Type A meetings:**

- a.** Dispute resolution described in 21 CFR 10.75, 312.48, and 314.103 and in *Guidance for Industry Formal Dispute Resolution: Appeals above the Division Level (February 2000)*.
- b.** Meetings to discuss clinical holds: (1) in which the requester seeks input on how to address the hold issues; or (2) in which a response to hold issues has been submitted, and reviewed by the FDA, but the FDA and the requester agree that the development is stalled and a new path forward should be discussed.
- c.** Special Protocol Assessment meetings requested after receipt of an FDA letter in response to protocols submitted under the special protocol assessment procedures as described in *Guidance for Industry: Special Protocol Assessment (May 2002)*.
- d.** Post-action meetings requested within three months after an FDA regulatory action other than an approval (i.e., issuance of a complete response letter).
- e.** Meetings requested within 30 days of FDA's issuance of a refuse to file letter. In order to file an application over protest, applicants must avail themselves of this meeting (21 CFR 314.101(a)(3)).

#### **2. Type B meetings:**

- a.** Pre-IND meeting:
  - i.** Occur prior to the submission of an initial Investigational New Drug Application (IND) to discuss the format for the IND, the scope and design of planned initial IND studies, design of animal studies needed to support human clinical testing, product characterization issues and the development plan to address requirements for the Pediatric Research Equity Act (PREA) of 2003. (See 21 CFR 312.82).
- b.** Pre-emergency use authorization meetings.
- c.** Pre-new drug application (pre-NDA/pre-biologics license application (pre-BLA) meetings (21 CFR 312.47):



**i.** To inform CBER of the general information that will be submitted in the marketing application, to discuss preliminary efficacy results derived from studies conducted to support the BLA/ NDA and appropriate methods for final statistical analysis;

**ii.** To discuss the proposed format for data in the planned marketing application, to identify the studies that the applicant will rely on as adequate and well-controlled;

**iii.** Plans to assess pediatric safety and effectiveness;

**d.** Post-Action meetings requested 3 or more months after an FDA regulatory action other than an approval (i.e., issuance of a complete response letter).

**e.** Meetings regarding REMS or postmarketing requirements that occur outside the context of the review of a marketing application.

**f.** Meetings held to discuss the overall development program for products granted breakthrough therapy designation status. Subsequent meetings for breakthrough therapy-designated products will be considered either Type B or possibly Type A meetings if the meeting request meets the criteria for a Type A meeting.

**3. Type B (EOP) Meetings:**

**a.** Certain end-of-phase 1 meetings (i.e., for 21 CFR Part 312 Subpart E or 21 CFR Part 314 Subpart H or similar products).

**b.** End-of-phase 2 /pre-phase 3 meetings (21 CFR 312.47).

**4. Type C meetings:**

**a.** Any meeting other than a Type A, Type B, or Type B (EOP) meeting regarding the development and review of a product, including meetings to discuss early consultation on the use of new surrogate endpoints. Examples include:

**i.** Facility/establishment issues - discussion prior to submission of the application.

**ii.** General development discussion of a product.

**iii.** Cost recovery.

## II. Meeting Management Procedural Goals

**Table 1:** Summary of Meeting Management Procedural Goals

| <b>Meeting Type</b>   | <b>FDA's Response to Request</b> | <b>FDA's Receipt of Meeting Package</b>                     | <b>FDA's Preliminary Responses to Requester (if applicable)</b> | <b>Requester's Response to FDA's Preliminary Responses (not applicable to WRO)</b> | <b>FDA's Scheduled Meeting Date (days from receipt of request)</b> | <b>FDA's Meeting Minutes to Requester (if applicable)</b> |
|---|----------------------------------|---|---|--|--|---|
| A   | 14 days                          | With meeting request  | No later than 2 days before meeting                             | N/A  | Within 30 days   | 30 days after meeting                                     |
| B   | 21 days                          | No later than 30 days before meeting or expected WRO        | No later than 2 days before meeting                             | N/A  | Within 60 days   | 30 days after meeting                                     |
| B (EOP)   | 14 days                          | No later than 50 days before meeting or expected WRO        | No later than 5 days before meeting                             | No later than 3 days after receipt of Preliminary Responses                        | Within 70 days   | 30 days after meeting                                     |
| C   | 21 days                          | No later than 47 days before meeting or expected WRO        | No later than 5 days before meeting                             | No later than 3 days after receipt of Preliminary Responses                        | Within 75 days   | 30 days after meeting                                     |
| C<br>Early consultations on the use of a new surrogate endpoint | 21 days                          | With meeting request; WRO not applicable for these meetings | No later than 5 days before meeting                             | No later than 3 days after receipt of Preliminary Responses                        | Within 75 days   | 30 days after meeting                                     |

### **Additional notes:**

- If the requested date for any meeting type is greater than the specified timeframe, the meeting date should be within 14 calendar days of the requested date.
- If the scheduled date of a Type B (EOP) meeting is earlier than 70 days from FDA's receipt of the meeting request, the requester's meeting package will be due no sooner than 6 calendar days after FDA's response time for issuing the letter granting the meeting.
- If the scheduled date of a Type C meeting is earlier than 75 days from FDA's receipt of the meeting request, the meeting package will be due no sooner than 7 calendar days after FDA's response time for issuing the letter granting the meeting.

### **III. Content of Meeting Requests**

#### **A. Should contain:**

- 1.** The product name and application number if already assigned;
- 2.** Chemical name, established name, and/or structure (if appropriate). If chemical name and structure is not appropriate, please include a description of your product;
- 3.** Proposed regulatory pathway (e.g., BLA, NDA)
- 4.** Proposed indication or context of product development.
- 5.** Type of meeting being requested (Type A, Type B, Type B(EOP), or Type C).
- 6.** Dosage form, route of administration, and dosing regimen (frequency and duration).
- 7.** Pediatric study plans, if applicable.
  - 1.** Refer to the Policy section of this SOPP (General – numbers 3 and 4) for information on when these are applicable.
- 8.** Combination product information (e.g., constituent parts, intended device, intended packaging, planned human factors studies), if applicable.
- 9.** Suggested dates and times (e.g., morning or afternoon) for the meeting that are consistent with the appropriate scheduling time

frame for the meeting type being requested. Non-availability dates and times should also be included.

- 10.** A list of proposed questions grouped by FDA discipline. For each question, there should be a brief explanation of the context and purpose of the question.

**B. Must Include:**

- 1.** Proposed meeting format, e.g., face-to-face, teleconference, or written responses only (WRO)
- 2.** The date the meeting background package will be sent by the requester. Note that meeting packages should be included with the meeting request for all Type A meetings and Type C meetings to discuss early consultation on the use of new surrogate endpoints.
- 3.** A brief statement of the purpose of the meeting. This statement should include a brief background of the issues underlying the agenda. It also can include a brief summary of completed or planned studies and clinical trials or data that the requester intends to discuss at the meeting, the general nature of the critical questions to be asked, and where the meeting fits in overall development plans. Although the statement should not provide the details of trial designs or completed studies and clinical trials, it should provide enough information to facilitate understanding of the issues, such as a small table that summarizes major results.
- 4.** A list of the specific objectives or outcomes that the requester expects;
- 5.** A proposed agenda, including estimated times needed for discussion of each agenda item;
- 6.** A list of planned external attendees, including their names and titles. The list should also include the names, titles, and affiliations of consultants and interpreters, if applicable.
- 7.** A list of requested FDA attendees and/or discipline representative(s). Note that requests for attendance by FDA staff who are not otherwise essential to the application's review may affect the ability to hold the meeting within the specified time frame of the meeting type being requested. Therefore, when attendance by nonessential FDA staff is requested, the meeting request should provide a justification for such attendees and state whether or not a later meeting date is acceptable to the requester to accommodate the nonessential FDA attendees.

#### **IV. Content of Meeting packages**

- A.** The product name and application number if already assigned.
- B.** Chemical name and structure (if appropriate). If chemical name and structure is not appropriate, please include a description of your product.
- C.** Proposed regulatory pathway (e.g., BLA, NDA ).
- D.** Proposed indication or context of product development.
- E.** Dosage form, route of administration, and dosing regimen (frequency and duration).
- F.** Pediatric study plans, if applicable.
- G.** Combination product information (e.g., constituent parts, intended device, intended packaging, planned human factors studies), if applicable.
- H.** A list of all individuals, with their titles and affiliations, who will attend the meeting from the requester's organization, including consultants and interpreters.
- I.** A background section that includes the following:
  - 1.** A brief history of the development program and relevant communications with FDA prior to the meeting;
  - 2.** Substantive changes in product development plans (e.g. new indication, population, basis for a combination), when applicable;
  - 3.** The current status of product development.
- J.** A brief statement summarizing the purpose of the meeting and identifying the type of milestone meeting, if applicable.
- K.** A proposed agenda, including estimated times needed for discussion of each agenda item.
- L.** A list of the final questions for discussion grouped by FDA discipline and with a brief summary for each question to explain the need or context for the question. Questions regarding combination products should be grouped together.
- M.** Data to support discussion organized by FDA discipline and question.
  - 1.** Protocols, full study reports, or detailed data generally are not appropriate for meeting packages; the summarized material should describe the results of relevant studies and clinical trials with some

degree of quantification, and any conclusions about clinical trials that resulted.

2. The trial endpoints should be stated, as should whether endpoints were altered or analyses changed during the course of the trial.

**N.** Should provide summary information relevant to the product(s), plus supplementary information to enable the development of responses to issues raised by the requester or reviewing division to meet the objectives of the meeting. [G] the examples below aren't included in the guidance document

1. Pre-IND meeting - a summary of manufacturing information including completed or proposed testing and specifications; any pre-clinical studies completed or proposed; any known experience with the product in humans; the proposed eventual clinical use with rationale; a reasonably complete protocol or protocol synopsis; and information on any unique characteristics which differentiate the product from other similar entities. The requester is expected to submit their development plan for complying with PREA.
2. End of Phase 1 meeting – a summary of data obtained in the Phase 1 study and the proposed Phase 2/Phase 3 development plan.
3. End of Phase 2/Pre-Phase 3 meeting - a synopsis of data from studies completed to date and proposed Phase 3 protocol(s) including detailed statistical plan. Outlines of any contractual arrangements for product manufacture and details of the characterization of the product to be used in the studies should also be submitted. If the Phase 3 product is not the same as the product intended for the market, proposals for studies to determine the comparability of the products are necessary. The requester is expected to submit their development plan for complying with PREA.
4. Pre-BLA/NDA meeting - a summary of the data from the pivotal studies completed; the proposed indication; proposed format of the submission, manufacturing information on the products used in the study(ies) and product intended for distribution if different; outlines of any contractual arrangements for product manufacture, proposed format of the submission and a timeline for submission. The requester is expected to submit their development plan for complying with PREA. For products that qualify under the PDUFA Program, the requester should also include what, if any, information the company proposes to submit late (within 30 calendar days).

- 5. Establishment issues meeting - identification of the product(s) produced with a brief description of the manufacturing process; a production process flow chart; floor plans with manufacturing process, personnel flow, water system, water and heating, ventilation, and air conditioning (HVAC) system, air pressure differentials, and air qualities described; a brief description of HVAC systems; changeover procedures and product/personnel separation information for multi-use facilities; a brief description of validation procedures including the validation master plan; and any unique issues pertinent to the facility.**
- O. If additional information is received after receipt of the meeting package, CBER may inform the requester that the new information or questions will not be reviewed or answered. The meeting may be rescheduled; if the meeting is held it will proceed as scheduled with only the meeting package information/questions. Discussion of the additional information may be the subject of a subsequent meeting.**

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