U.S. FOOD & DRUG ADMINISTRATION

Compliance Central: CBER Compliance

FDLI Enforcement, Litigation and Compliance Conference
December 6, 2017
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Director OCBQ/CBER/FDA

Regenerative Medicine

A field with great promise that includes a variety of innovative products

- Cell therapies
- Therapeutic tissue engineering products
- Human cell and tissue products
- Combination products

Objectives of Suite of Regenerative Medicine Guidance Documents

- Clarify existing regulations to make it simpler for sponsors to determine if they need to obtain premarket authorization for their products
- Expedite the development and approval of safe and effective innovative regenerative medicine therapies and associated devices

Suite of Regenerative Medicine Guidance Documents

1. Same Surgical Procedure Exception under 21 CFR 1271.15(b): Questions and Answers Regarding the Scope of the Exception – Final
2. **Regulatory Considerations for Human Cell, Tissues, and Cellular and Tissue-Based Products: Minimal Manipulation and Homologous Use – Final**
3. Evaluation of Devices Used with Regenerative Medicine Advanced Therapies – Draft
4. Expedited Programs for Regenerative Medicine Therapies for Serious Conditions – Draft

Guidance on MM and HU Compliance and Enforcement Policy

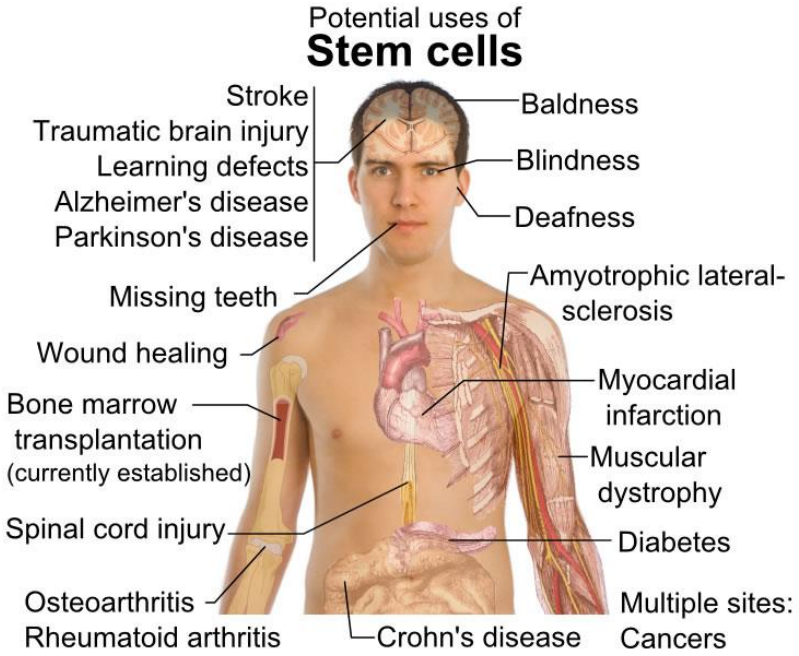
- To give manufacturers time to determine if they need to submit an IND or marketing application in light of this guidance and, if such an application is needed, to prepare the IND or marketing application the guidance describes a 36-month period of enforcement discretion for products based on a determination of the risk to public health

Guidance on MM and HU Compliance and Enforcement Policy

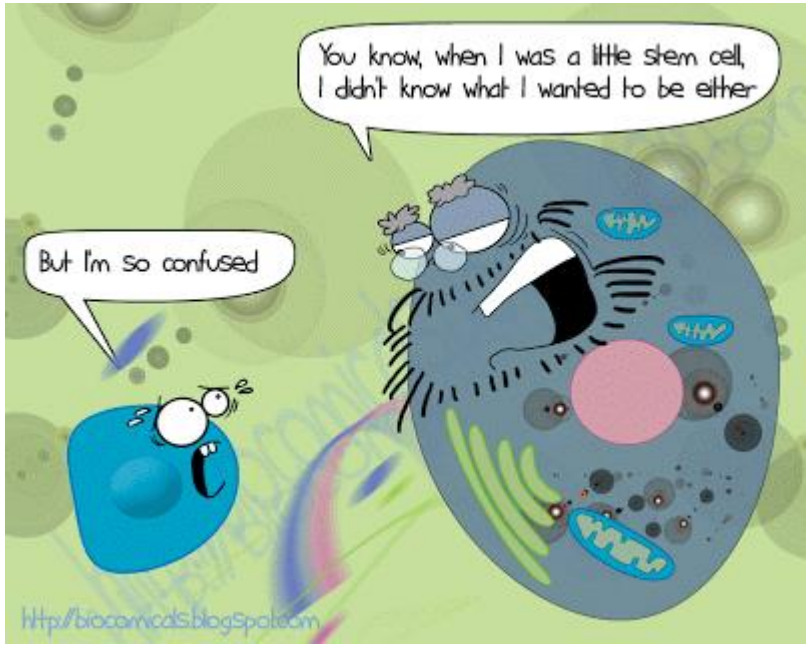
- Actions related to products with routes of administration associated with a higher risk (e.g., those administered by intravenous injection or infusion, aerosol inhalation, intraocular injection, or injection or infusion into the central nervous system) will be prioritized over those associated with a lower risk (e.g., those administered by intradermal, subcutaneous, or intra-articular injection)

Guidance on MM and HU Compliance and Enforcement Policy

- HCT/Ps that are intended for non-homologous use, particularly those intended to be used for the prevention or treatment of serious and/or life-threatening diseases and conditions, are also more likely to raise significant safety concerns than HCT/Ps intended for homologous use because there is less basis on which to predict the product's behavior in the recipient



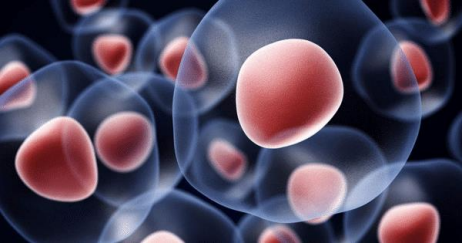
Stem Cell Update



FDA warns US Stem Cell Clinic of significant deviations – August 28, 2017 –

On August 24, 2017, FDA issued a warning letter to US Stem Cell Clinic of Sunrise, Florida and its Chief Scientific Officer Kristin Comella for marketing stem cell products without FDA approval and for significant deviations from current good manufacturing practice requirements, including some that could impact the sterility of their products, putting patients at risk.

https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm573431.htm



US Stem Cell Clinic - continued

- The FDA recently inspected US Stem Cell Clinic and found that the clinic was processing adipose tissue (body fat) into stromal vascular fraction (stem cells derived from body fat) and administering the product both intravenously or directly into the spinal cord of patients to treat a variety of serious diseases or conditions, including Parkinson's disease, amyotrophic lateral sclerosis (ALS), chronic obstructive pulmonary disease (COPD), heart disease and pulmonary fibrosis.
- The FDA has not reviewed or approved any biological products manufactured by US Stem Cell Clinic for any use.
- At least 256 lots of the stem cell product manufactured under these conditions

FDA acts to remove unproven, potentially harmful treatment used in 'stem cell' centers targeting vulnerable patients - August 28, 2017

- *Vaccinia Virus Vaccine (Live) seized after being used inappropriately in vulnerable cancer patients*
  - Decisive action to prevent the use of a potentially dangerous and unproven treatment belonging to StemImmune Inc. in San Diego, California, and administered to patients at the California Stem Cell Treatment Centers in Rancho Mirage and Beverly Hills, California.
  - On behalf of the FDA, on Friday August 25, 2017, the U.S. Marshals Service seized five vials of Vaccinia Virus Vaccine (Live) – a vaccine that is reserved only for people at high risk for smallpox, such as some members of the military.

Seizure continued

- The seizure comes after recent FDA inspections at StemImmune Inc. and the California Stem Cell Treatment Centers confirmed that the vaccine was used to create an unapproved stem cell product (a combination of excess amounts of vaccine and stromal vascular fraction – stem cells derived from body fat), which was then administered to cancer patients with potentially compromised immune systems and for whom the vaccine posed a potential for harm, including myocarditis and pericarditis (inflammation and swelling of the heart and surrounding tissues). The unproven and potentially dangerous treatment was being injected intravenously and directly into patients' tumors

https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm573427.htm

Statement from FDA Commissioner Scott Gottlieb, M.D. on the FDA's new policy steps and enforcement efforts to ensure proper oversight of stem cell therapies and regenerative medicine

August 28, 2017 –

https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm573443.htm

Public Access to CBER

CBER website:
http://www.fda.gov/BiologicsBloodVaccines/default.htm

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