FDA's COVID-19 Activities

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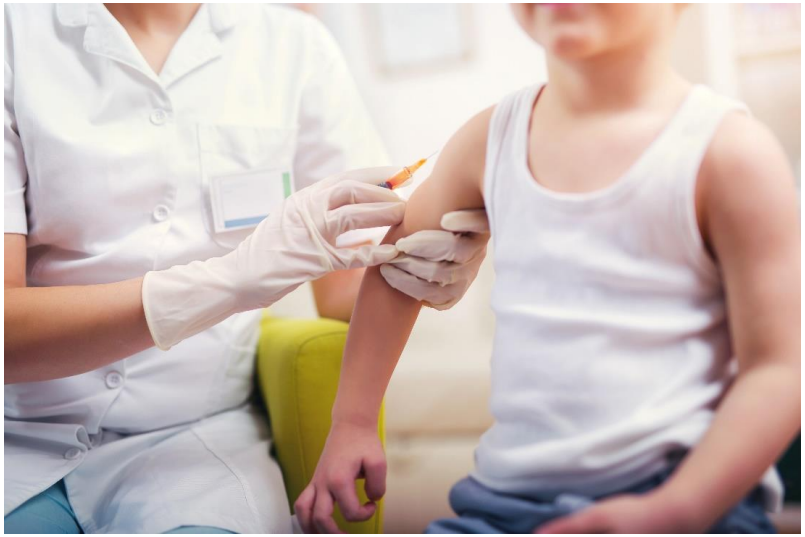
Learning Objectives

- Learn about FDA's regulatory pathways for the approval and investigation of products intended for the prevention and treatment of COVID-19
- Understand actions that FDA has taken to assist industry during the COVID-19 pandemic
- Learn about FDA's COVID-19 enforcement actions

POLL

FDA has issued Emergency Use Authorizations (EUA) for which of the following products? You can pick up to six (6) choices.

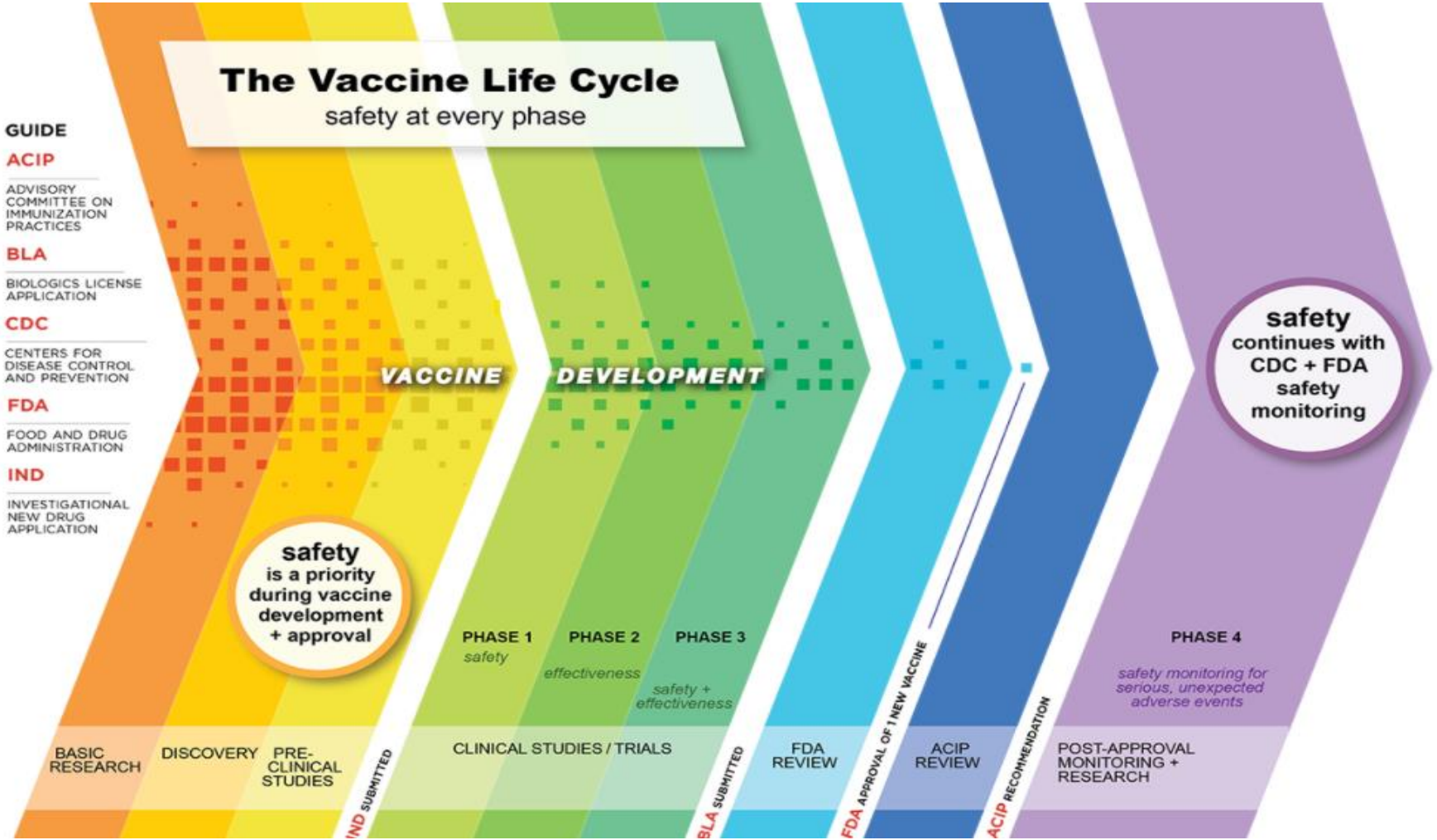
1. Disposable, single-use surgical masks
2. Diagnostic tests for SARS-CoV-2, avian influenza (H7N9) virus, Middle East Respiratory Syndrome Coronavirus (MERS-CoV), Ebola virus, and Zika virus
3. Vaccines
4. Ventilators
5. Drugs and non-vaccine biological products
6. Convalescent plasma for treatment of hospitalized patients with COVID-19



PRIMARY IMPACTED PRODUCT OFFERINGS

Vaccines

- Center for Biologics EUAs
  - Pfizer, Moderna, Janssen (Johnson & Johnson)
- January 31, 2020
  - HHS Secretary declared COVID-19 a PHE
- March 27, 2020
  - Circumstances exist that justify EUAs for drugs and biologics



Slide created by the Centers for Disease Control and Prevention (CDC), https://www.cdc.gov/vaccinesafety/ensuringsafety/history/index.html

Vaccines – Outreach Efforts

- COVID-19 has disproportionately affected racial and ethnic minorities
- FDA has noted that all authorized vaccines were tested in clinical trials that included thousands of participants from racial and ethnic minorities and other diverse individuals
- CBER has worked with the FDA's Office of Minority Health and Health Equity to
  - Address concerns about vaccines
  - Build awareness of clinical trial diversity
  - Undertake outreach efforts (videos, listening sessions, webinars)

Therapeutics

- Center for Drugs
- As of February 28, 2022:
  - 15 COVID-19 treatments authorized under EUAs (e.g., monoclonal antibody treatments)
  - 690+ drug development programs, including active pre-investigational new drug applications (IND)
  - 470 clinical trials reviewed
  - Antiviral drug Veklury (remdesivir) approved
- Coronavirus Treatment Acceleration Program

Diagnostic Tests for SARS-CoV-2

- Center for Devices and Radiological Health (CDRH) EUAs
  - Issued for individual tests
  - Certain conditions imposed on manufacturer, authorized laboratories
  - Direct-to-consumer home collection tests
  - Over-the-counter at home tests
- FDA has reviewed some molecular SARS-CoV-2 diagnostic tests under non-EUA (more traditional) regulatory pathways
  - De novo review = BioFire Respiratory Panel 2.1

Hand Sanitizer

- Over-the-counter (OTC) monograph
- Temporary policies withdrawn in December 2021

Hand Sanitizer Safety and Use Communication Toolkit

An infographic, fact sheet, newsletter articles and more for patients and health care professionals in English and Spanish

Last Updated December 30, 2020

True/False Poll

The following alcohol beverage manufacturers produced hand sanitizer during the COVID-19 pandemic:

- Dogfish Head Craft Brewery
- Tito's Handmade Vodka
- Anheuser-Busch InBev
- Sagamore Spirit
- Bacardi
- Beam Suntory, Inc.
- Founding Spirits (DC)

Bonus Question: If you bought hand sanitizer from any alcohol beverage manufacturer, please note which one in the chat.

Compounded Drugs

- Center for Drug Evaluation and Research (CDER) temporary policies to address shortages of drugs and personal protective equipment (PPE)
- April 2020 compounding pharmacies policies
  - Pharmacies and outsourcing facilities permitted to 13 drugs to treat hospitalized COVID-19 patients
  - Non-standard PPE practices for sterile compounding

Personal Protective Equipment (PPE)

- N95 respirators
- Surgical masks and face masks
- Medical gloves
- Medical gowns
- Conservation strategies

Ventilators

- EUA for ventilators and ventilator accessories
  - Issued March 24, 2020
- Examples of accessories:
  - Pressure and flow monitor
  - Breathing circuit filter
  - Sterile water for humidifier
  - Treatment hood, mask
  - Connector valve
- Ventilator Enforcement Policy

EXEMPTIONS, EXCLUSIONS AND PAUSES DURING THE PUBLIC HEALTH EMERGENCY

Group Discussion

- Do you think the FDA's use of exemptions, exclusions, and pauses during the public health emergency has been helpful or harmful?
  - *Consider the above question with respect to industry, healthcare providers, patients, consumers, and others.*
- Please enter your thoughts in the chat.

Emergency Use Authorization (EUA) vs. Traditional Approval

- Several statutory criteria must be met for an EUA, including:
  - Based on the totality of scientific evidence available, including data from adequate and well-controlled clinical trials, if available, it is reasonable to believe that
    - the product may be effective in diagnosing, treating or preventing a serious or life-threatening disease or condition
    - the known and potential benefits of the product outweigh the known and potential risks of the product
    - there is no adequate, approved, and available alternative to the product for diagnosing, preventing or treating the disease or condition

Clinical Trial Requirements

- Renewed receptivity to real-world data/real-world evidence
- Guidance documents address
  - Quarantines
  - Site closures
  - Travel limitations
  - Supply chain interruptions (investigational products)
  - COVID-19 infections of staff and participants

Application Review Timelines

- Guidance on review timelines during the COVID-19 public health emergency
  - Original and supplemental ANDAs (FDCA 505(j))
  - Resubmissions of original and supplemental BLAs (PHS Act 351(a) and (k))
  - Resubmissions of original and supplemental NDAs (FDCA 505(b)(1) and (2))
- Addresses review timelines after the issuance of a complete response letter when a facility assessment is needed for a FDA regulatory decision on an original or supplemental application
  - Manufacturing facility inspections
  - Bioresearch monitoring program sites

User Fee Reviews and Meetings

- April 2020 statement from Commissioner Hahn on user-fee related reviews
- New drugs, generic drugs, and biologics and biosimilars
  - Programs continued to meet key review program user fee performance goals, approve applications, and communicate with applicants
- Medical devices
  - CDRH and CBER continued to meet Medical Device User Fee Amendments (MDUFA) review goals
  - Converted scheduled meetings to teleconferences
  - Extended response dates for premarket notifications (510(k)), premarket approval (PMA) applications (original, supplements), de novo classification requests
- Animal drugs and generic animal drugs
  - CVM continued to meet user-fee-related performance goals
  - Teleconferences instead of in-person meetings

Facility Inspections

Observation 2

The building used for the manufacture of the client (b) (4) viral vaccine drug substance and client (b) (4) viral vaccine drug substance is not maintained in a clean and sanitary condition.

Specifically,

a. Waste generated during the manufacture of the client (b) (4) vaccine drug substance and client (b) (4) viral vaccine drug substance is not decontaminated using (b) (4) that have been qualified for use or a (b) (4) qualified for actual use. Such waste is transported through the warehouse before disposal and has the potential to contaminate the warehouse and adjacent areas

b. The manufacturing rooms and corridors are not cleaned with a (b) (4) [redacted].

c. The painted floors in the warehouse were observed to be peeling on multiple days during the inspection. Large areas of the painted surface are missing in front of the (b) (4) and (b) (4) sampling rooms. The damaged floors and rough surfaces do not allow for adequate cleaning and sanitization.

Other COVID-19 Policies

- Manufacturing operations
- Drug Supply Chain Security Act (DSCSA) supply chain requirements
- Risk Evaluation and Mitigation Strategy (REMS) requirements
- Not exempt: Notifications of permanent discontinuance or interruption in manufacturing

Drug Sample Program Requirements

- Prescription Drug Marketing Act of 1987 (PDMA)
  - Requirements for distributing drug samples by mail
  - Storage, handling, and recordkeeping requirements
  - Licensed healthcare professionals must request samples in writing
- Temporary policy relating to the distribution of drug samples during the COVID-19 public health emergency
  - June 2020
  - FDA does not intend to take action against certain manufacturers or authorized distributors of record
  - Alternate ways of verifying delivery and receipt of drug samples

Adverse Event Reporting

- FDA guidance on enforcement of adverse event reporting requirements
  - Focus on reports related to medical products indicated for the treatment or prevention of SARS-CoV-2/COVID-19
  - FDA acknowledges high employee absenteeism and potential delayed reporting
- Vaccine Adverse Event Reporting System (VAERS)
  - Licensed vaccine manufacturers must report adverse experiences to FDA
  - Healthcare providers and consumers may report any outcomes that they believe resulted from the administration of a vaccine
- A failure to report may lead to enforcement actions
  - Warning letter
  - Revocation of the biological product license

UNPRECEDENTED PUBLIC OUTREACH

Temporary Policies to Expand Industry Participation

- Compounding of hand sanitizers
  - Temporary policy announced March 2020
  - Recalls of hand sanitizers with methanol
  - Consumption and use of alcohol-based hand sanitizers leads to fatalities, hospitalizations, dermal toxicity
  - Manufacturers not in compliance with cGMP or FDA's temporary policy
- January 2021 guidance for manufacturers and compounding facilities
  - Test drug products w/ethanol or isopropyl alcohol for methanol in alcohol ingredients

Temporary Policies to Expand Industry Participation

- Temporary policy for farms that meet certain requirements regarding food sales and sales to qualified end-users (consumers or restaurants/retail food establishments)
  - May 22, 2020
- Temporary policy regarding enforcement of the egg safety rule
  - April 6, 2020
- Temporary policy regarding nutrition labeling of certain packaged food
  - March 26, 2020

Notice of Availability; FDA Publishes Guidance Documents in Groups

- March 25, 2020 – FDA announces a process for making available to the public COVID-19-related guidance documents
- Guidance documents implemented immediately without prior public comment
- FDA periodically publishes a consolidated Notice of Availability in the *Federal Register*

Daily COVID-19 Updates

SHARE

COVID-19 Update: EUA Templates for Test Developers

Today, the U.S. Food and Drug Administration (FDA) posted an updated template intended to assist test developers and facilitate the Emergency Use Authorization (EUA) request and Pre-EUA submission processes for COVID-19 tests. The following template includes updated recommendations and additional clarity for test developers:

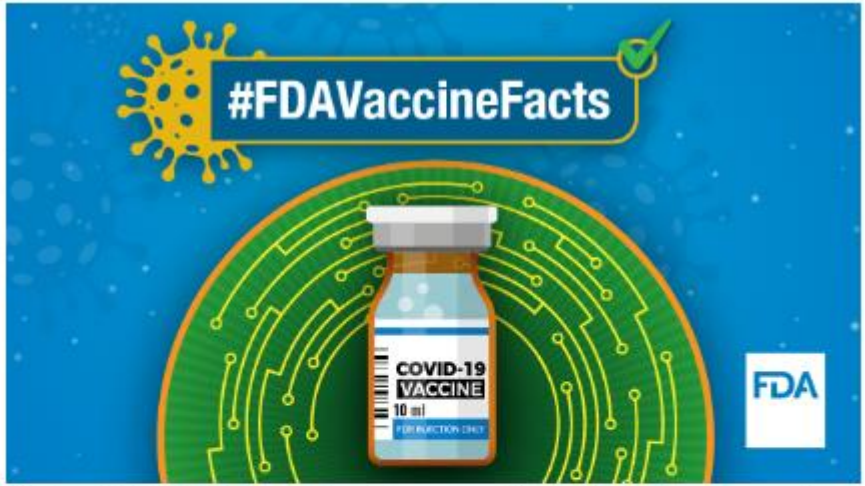
- Molecular and Antigen Home Use Test Template

The template is intended to help test developers provide validation data and other information to the FDA. Developers can use alternative approaches and can discuss them with the FDA.

Source:
November 9, 2021
e-mail from
usfda@public.govdelivery.com

Consumer Updates and Toolkits

- Social media toolkits
  - #VaccineReady
  - COVID-19 vaccine myths
  - Monoclonal antibody therapeutics
  - COVID-19
- Stakeholder toolkit for patients and consumers
- Hand sanitizer safety and use communication toolkit



❓ Do #COVID19Vaccines have a microchip to track you?

❌ NO

💉 #FDAVaccineFacts: #COVID19Vaccines DO NOT contain microchips, cause cancer or alter your DNA. The FDA carefully evaluated and analyzed the safety and effectiveness of #COVID19Vaccines.

https://go.usa.gov/xMmDx

Enforcement Actions

WARNING LETTER

Ivermectin24h.com

MARCS-CMS 615637 – FEBRUARY 25, 2022

RE: Notice of Unlawful Sale of Misbranded Drugs to United States Consumers Over the Internet

DATE: February 25, 2022

WARNING LETTER

This is to advise you that the United States (U.S.) Food and Drug Administration (FDA) reviewed your website at the Internet address www.ivermectin24h.com on December 13, 2021. FDA has observed that your website offers drug products for sale in the U.S. and that these products are intended to mitigate, prevent, treat, diagnose, or cure COVID-19[1] and a variety of other diseases such as malaria, lupus erythematosus, and rheumatoid arthritis. Based on our review, these products are misbranded drugs under section 503(b) of the FD&C Act [21 U.S.C. § 353(b)]. The introduction or delivery for introduction of these products into interstate commerce is prohibited under sections 301(a) and 301(k) of the FD&C Act [21 U.S.C. §§ 331(a) and 331(k)].

Enforcement Actions

- April 19, 2022 – Topical antiseptic products (towelettes)
- April 5, 2022 – Nasal spray
- March 28, 2022 – Cannabidiol products
- March 24, 2022 – Throat spray and lozenges
- March 10, 2022 – Teas, drink syrups, and extracts
- February 17, 2022 – Antibody test, viral antigen test

Thank you!

Questions?

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