PHARMACY AND POISONS BOARD
HONG KONG
香港藥劑業及毒藥管理局

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28 July 2021

To: Holders of Licence for Manufacturer and
Prospective Applicants

Dear Sirs,

New Licensing Conditions of Licence for Manufacturer
(Effective from 1 August 2021 upon Licence Issuance or Renewal)

In a recent meeting, the Pharmacy and Poisons (Manufacturers Licensing) Committee (the "Committee") has decided to impose new licensing conditions on a Licence for Manufacturer as stipulated in the **Appendix** upon licence issuance or renewal from 1 August 2021 onwards.

The Committee has made this decision by taking into consideration the enhancement of the regulatory control of advanced therapy products ("ATP") as introduced by the Pharmacy and Poisons (Amendment) Ordinance 2020 which will commenced on 1 August 2021.

A "*Guidance for Industry – Manufacture of Unregistered Pharmaceutical Product for Treatment of Particular Patients*" ("Guidance for Industry") has also been drawn up which set out the requirements relating to the manufacture of an unregistered pharmaceutical product ("UPP") by a licensed manufacturer upon the request by a registered medical practitioner or a registered dentist for the purpose of treatment of a particular patient in accordance with regulation 36(1A) of the Pharmacy and Poisons Regulations (the "PPR"), Cap. 138A, Laws of Hong Kong.

For the purpose of obtaining prior permission from the Committee to manufacture UPP, relevant request form, checklist of document evidence to be provided and sample undertaking by licensed manufacturer as well as medical practitioner or dentist have also been established.

The Guidance for Industry, request form and associated documents will be available for download from the website of the Drug Office below:

https://www.drugoffice.gov.hk/eps/do/en/pharmaceutical_trade/pharmaceutical_manufacturer/index.html

You are hereby reminded to observe and comply with the new licensing conditions, if applicable. Your attention is also drawn to the provision under Regulation 29(4) of the PPR which empowers the Committee to revoke a licence to manufacture pharmaceutical products or suspend it for a specified period, to issue a warning letter to the licensed manufacturer, or to vary a condition of the licence if, in its opinion, a licensee has failed to comply with a licensing condition.

Yours faithfully,

(Y. F. YEUNG)
Secretary, Pharmacy & Poisons
(Manufacturers Licensing) Committee

Appendix

New Licensing Conditions of Licence for Manufacturer for Manufacture of Advanced Therapy Products and Unregistered Pharmaceutical Products for Treatment of Particular Patients (Effective from 1 August 2021 upon Licence Issuance or Renewal)

I. For pharmaceutical manufacturers of advanced therapy products

(1). "*This licence only authorizes the manufacture of (scope of manufacture)*";

(2). "*The licence holder must implement fully all the requirements for advanced therapy products in relation to storage, transportation and handling of out-of-specification products stipulated in the attached Annex.*"; AND

(3). "*The licence holder must comply with the "Guidance for Industry- Manufacture of Unregistered Pharmaceutical Product for Treatment of Particular Patients" for the manufacture of an unregistered advanced therapy product for the treatment of a particular patient.*"

II. For pharmaceutical manufacturers of other product types:

(1). "*This licence does not authorize the manufacture of advanced therapy products.*"; AND

(2). "*The licence holder must comply with the "Guidance for Industry- Manufacture of Unregistered Pharmaceutical Product for Treatment of Particular Patients" for the manufacture of an unregistered pharmaceutical product for the treatment of a particular patient.*" .

III. For secondary packaging manufacturers:

(1). "*The licence holder is not authorized to undertake any packaging of advanced therapy products.*"; *OR*

(2). "*The licence holder must implement fully all the requirements for advanced therapy products in relation to storage, transportation and handling of out-of-specification products stipulated in the attached Annex.*".

Annex

A. Storage

A1. Where storage equipment, utilities or facilities affect critical processing or storage parameters (e.g. temperature, pressure, particle counts, microbial contamination levels), they must be identified for control and monitoring. Standard operating procedures should be in place for reviewing the data recorded.

A2. An alarm system should be in place to alert users in a timely manner to any deviation from the pre-defined storage conditions. Standard operating procedures should define the actions to be taken in response to alarms. Alarm systems placed in storage equipment must be continuously active and able to alert personnel on a 24-hour basis. The functionality of the alarm systems must be checked regularly.

A3. Provisions must be in place in the event of equipment or power failure.

A4. If storage utilizes liquid nitrogen, either liquid nitrogen levels or temperature should be monitored and documented at an interval specified in the standard operating procedures and determined by validation.

A5. Oxygen sensors must be appropriately placed and personal protection equipment must be available in areas where liquid nitrogen is present.

A6. Starting materials, products or samples immersed in liquid nitrogen should be double-wrapped during storage or stored in a validated high-security primary container especially designed for liquid nitrogen (depending on the types of storage systems, materials, products or samples and after risk assessment). The seals and the material employed must be validated for their use at the designated storage conditions, to demonstrate that the packaging and labelling can retain their integrity under such conditions.

B. Transportation

B1. The transportation process of products and samples should be verified. They should be transported from manufacturing sites in accordance with the conditions defined in the product specifications or as justified by the manufacturer.

B2. Transportation routes should be clearly defined. Seasonal and other variations should also be considered during verification of transport.

B3. A risk assessment should be performed to consider the impact of variables in the transportation process other than those conditions which are continuously controlled or monitored, e.g. delays during transportation, failure of monitoring devices, topping up liquid nitrogen, product susceptibility and any other relevant factors.

B4. Due to the variable conditions expected during transportation, continuous monitoring and recording of any critical environmental conditions to which the product may be subjected should be performed, unless otherwise justified.

B5. The capacity of the transport container to maintain the required environmental conditions, and the length of time that these conditions can be maintained, should be determined.

B6. The container or package must be secure, and shipment conditions such as temperature and time limit must be defined to ensure maintenance of the required properties of the products and/or samples.

B7. An alternative plan of transport or shipping should be available in case of emergency situations, to prevent possible clinical complications for the recipient.

C. Handling of Out-of-Specification Products

C1. In case of an out-of-specification product, inform in writing the treating medical practitioner or dentist of the event and the risks associated; and if the product is to be supplied for use —

(i). ensure that the treating medical practitioner or dentist has informed the patient about the risk of using the product and obtained the consent from the patient;

(ii). obtain the written confirmation from the treating medical practitioner or dentist that he or she accepts the product for use before the supply; and

(iii). report the supply of the out-of-specification product to the Drug Office within 48 hours through the Authorized Person.
