Eucomed Proposal for a


THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission1,

Having regard to the opinion of the European Economic and Social Committee2,

Having regard to the opinion of the Committee of the Regions3,

Acting in accordance with the procedure laid down in Article 251 of the Treaty4,

Whereas:

Elements to be incorporated in the Recitals:

Directive 2003/63/EC contains specific provisions on advanced therapy products made with biotechnology techniques, in particular gene therapy medicinal products and cell therapy medicinal products.

Additional advanced therapies are being developed by different biotechnology techniques, such as products that consist of engineered cells and tissues that regenerate, repair or replace human tissue or cells (tissue engineered products). The main mode of action of these products typically does not consist of exerting a pharmacological, immunological or metabolic action on the human body, but is of a more general biological nature.
However, in order to best guarantee their quality, safety and efficacy, it is appropriate to submit tissue engineered products to the marketing authorisation procedures, similar to those that apply to medicinal products.

It is advisable to ensure that decisions on marketing authorisations for advanced therapies can be taken based on the highest level of scientific and regulatory expertise, including the relevant areas of experience. In that light, it is advisable to have all advanced therapy products reviewed by a specialised committee established within the European Medicines Agency and working in close collaboration with the Committee for Medicinal Products for Human Use, but not within it, and the relevant marketing authorisation decisions taken by the Community.

Subject to the specific provisions contained in this Regulation, Regulation (EC) No 726/2004 will apply in full to advanced therapies.

Note: We believe that this sentence could be misinterpreted in the long run.

In the current state of scientific and technological development, this Regulation should not apply to tissue engineered products that contain tissue or cells derived from animals, except when such tissue or cells are used for manufacturing the product and, at most, are present in the final product in trace form and in a non-viable form or form the integral part of a medical device.

...  
The quality and important aspects of safety and efficacy of tissue engineered products to a significant degree depend on the quality of the processes used in preparing the products, and the overall assessment of the products must be substantially based on a risk assessment approach.

HAVE ADOPTED THIS REGULATION:
TITLE I
Introductory provisions

CHAPTER 1
SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1
(Subject matter and Scope)

1. The purpose of this Regulation is to lay down specific rules concerning the authorisation, supervision and vigilance of advanced therapy products.

2. This Regulation shall not apply to:

NOTE: The point under a) would not ensure equal access for patients to high level safety, quality and effective hTEP

a) Any advanced therapy medicinal product that is prepared by a qualified and licensed professional, such as a pharmacist, physician, or trained and certified biologist, on an exceptional basis, in order to comply with a medical prescription for an individual patient; the product must be prepared in full at the site of treatment of the patient, and without using standardised or patented processes;

b) Any human tissue engineered products containing, or derived from, cells or tissues of animal origin, except when (i) such cells and tissues are used in the manufacture without being present in the final product or (ii), if present, only in trace amounts and without presenting any intended purpose in the final product or (iii), such cells or tissues form an integral part of a medical device.

c) Gene therapy medicinal products and somatic cell therapy medicinal products, with the exception of Title I and Title III of this Regulation.

Article 2
(Definitions)


1 Such relevant definitions are: 1.2, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.18a, 1.20, 1.23, 1.24, 1.25, 1.26, 1.27, 1.28, 1.28a.
and those laid down in Directive 93/42/EEC shall apply for the purposes of this Regulation.
In addition, the following definitions shall apply:

(1) Advanced therapy product:

a) Any medicinal product for human use which is:
   a gene therapy medicinal product as referred to in Annex I to Directive 2001/83/EC; or
   a somatic cell therapy medicinal product as referred to in Annex I to Directive 2001/83/EC;

b) a human tissue engineered product as defined in this Regulation.

An advanced therapy product containing both autologous (emanating from the patient himself) and allogeneic (coming from another human being) cells or tissues is considered to be for allogeneic use, within the meaning of Article 3(p) of Directive 2004/23/EC.

(2) Human tissue engineered product:

Any product for autologous or allogeneic use which:
contains or consists of engineered human cells or tissues, which are viable or non-viable; and
is presented as having properties for, or is used in to human beings with a view to, regenerating, repairing or replacing a human tissue or cells.

A human tissue engineered product may also be a combined advanced therapy product, as defined in this Regulation. It may also contain additional substances, such as cellular products, bio-molecules, bio-materials, chemical substances, scaffolds or matrices; and it may contain substances or preparations that, on their own, are medicinal products, but have a purely ancillary function in the tissue engineered product.

(3) Engineered human cells or tissues:

2 Please note that definition of « serious adverse reaction » at art. 3(n) of this directive differs from the one given at art. 1.12 of the 2001/83 directive
Cells or tissues removed from a human donor and manipulated via a manufacturing process, so that their final biological characteristics, physiological functions or structural properties are fit for regenerating, repairing or replacing human tissue or for facilitating such processes by an action which is not primarily pharmaceutical.

(4) Combined advanced therapy product:

An advanced therapy product which incorporates, as an integral part of the product, one or several medical devices within the meaning of Directive 93/42/EEC, and which is liable to act upon the human body with action that cannot be considered as ancillary to that of the referred device(s).

NOTE We suggest the deletion of this sentence, which could exclude several products from the scope. Such products would not be covered by any community regulation. We are ready to reconsider this deletion if the Commission is going to amend the 93/42/EEC to include such products.

(5) Risk-management system:

A set of activities and interventions designed to identify, prevent or minimise risks related to advanced therapy products, including the evaluation of the effectiveness of those activities and interventions.

(5a) Pre marketing risk analysis/control procedure
A systematic process by which a manufacturer can identify, from early design phase, the hazards associated with a human tissue engineered product, estimate and evaluate the risks, control these risks, and monitor the effectiveness of the control.

(6) Placing on the market

“Placing on the market” means the first making available in return for payment or free of charge of an advanced therapy product other than an advanced therapy product intended for clinical investigation, with a view to distribution and/or use on the Community market.
2. The definitions under paragraph 1 may be amended to take account of technological developments in accordance with the procedure referred to in Article 27(2)

NOTE: We prefer the consolidated definition and we do not support that Comitology should be used for changing definitions.

CHAPTER 2
COMMITTEE FOR ADVANCED THERAPIES

Article 3
(Committee for Advanced Therapies)

General Note: Eucomed suggests that the CAT should be a Committee independent from the CHMP. In that case, the number of members of the CHMP could be accepted as suggested by the Commission. If the Commission is not ready to this, then Eucomed does not see any need to have in the CAT any member which is not an expert in the field, apart from one representative of the CHMP which should act as co-rapporteur. The proposed text refers to this latter option.

1. A Committee for Advanced Therapies is established within the European Medicines Agency set up under Regulation (EC) No 726/2004, hereinafter “the Agency”.

2. Save where otherwise provided in this Regulation, Regulation (EC) No 726/2004 shall apply to the Committee for Advanced Therapies.

3. The Executive Director of the Agency shall ensure appropriate co-ordination between the Committee for Advanced Therapies and the other Committees of the Agency, in particular the Committee for Medicinal Products for Human Use and the Committee for Orphan Medicinal Products, their working parties and any other scientific advisory groups.

Article 4
(Composition of the Committee for Advanced Therapies)

1. The Committee for Advanced Therapies shall be composed of the following experts in the various fields of advanced therapies among which:
a) one members and one alternates appointed by the Committee for Medicinal Products for Human Use, from among its members and alternates, taking into account their expertise relating to advanced therapy products, which may act as co-rapporteur
b) ten members and ten alternates shall be appointed among Member State experts, based on their specific expertise in the field of advanced therapies and with a maximum of two experts per field of expertise; at least one of these members and one of these alternates shall have specific expertise in medical devices;
c) six persons appointed by the Commission, on the basis of a public call for expressions of interest, in order to represent medical practitioners (two persons), surgeons (two persons), basic research in the field of advanced therapies (one person), and the interests of patients associations (one person).

The Executive Director of the Agency and the Commission shall ensure that the final composition of the Committee for Advanced Therapies covers all scientific areas relevant to advanced therapies, and including at least: medical devices, tissue engineering, gene therapy, cell therapy, biotechnology, vigilance, risk management and ethics.

2. The members of the Committee for Advanced Therapies shall be appointed for a renewable period of three years. At meetings of the Committee for Advanced Therapies, they may be accompanied by experts.

3. The Committee for Advanced Therapies shall elect its Chairman from among its members for a term of three years renewable once.

4. The names and scientific qualifications of the members shall be published by the Agency.

Article 5
(Designation criteria and Conflicts of Interest)

1. Members of the Committee for Advanced Therapies and its experts shall undertake to act in the public interest and in an independent manner. They shall not have financial or other interests in the pharmaceutical sector, medical device sector or biotechnology sector that could affect their impartiality.

2. All indirect interests that could relate to the pharmaceutical sector, medical device sector or biotechnology sector shall be entered in a register held by the Agency which the public may consult. The register shall be updated annually.
3. Members of the Committee for Advanced Therapies and its experts shall declare at each meeting any specific interests which could be considered to be prejudicial to their independence with respect to the points on the agenda.

4. Members of the Committee for Advanced Therapies and its experts shall be required, even after their duties have ceased, not to disclose any information of the kind covered by the obligation of professional secrecy.

5. The Agency will draw the scientific criteria for designation of the Advanced Therapies Committee members

Article 6
(Tasks of the Committee for Advanced Therapies)

The Committee for Advanced Therapies shall have the following tasks:

a) to assess any data generated in the development of an advanced therapy product, and to formulate an opinion on the quality, safety or efficacy of any advanced therapy product;
b) at the request of the Committee for Medicinal Products for Human Use, to formulate an opinion on any medicinal product which may require, for the evaluation of its quality, safety or efficacy, expertise in one of the scientific areas referred to in Article 4(1);
c) to provide advice on any question related to advanced therapy products, at the request of the Executive Director of the Agency or the Commission, including advice on the borderline between human tissue engineered products and other products, such as somatic cell therapy medicinal products.
d) to assist scientifically in the elaboration of any documents related to the fulfilment of the objectives of this Regulation;
e) upon request, to provide scientific expertise and advice for any Community initiative related to the development of innovative medicines and therapies;
TITLE II
Marketing Authorisation Requirements

CHAPTER 1
GENERAL AUTHORISATION REQUIREMENTS

Article 7
(Applicability of Regulation (EC) No 726/2004)

Save where otherwise provided in this Regulation, Regulation (EC) No 726/2004 shall apply for the authorisation, supervision and vigilance of human tissue engineered products.

Article 8
(Donation, procurement and testing)

The donation, procurement and testing of human cells and tissues used in the manufacture of human tissue engineered products shall be made in accordance with the provisions laid down in Directive 2004/23/EC.

Article 9
(Good Clinical Practice)

1. Clinical trials on human tissue engineered products shall be conducted in accordance with the provisions laid down in Directive 2001/20/EC, subject to appropriate adaptations. These adaptations shall be adopted in accordance with the procedure referred to in Article 27(2), and shall provide that the procedures set out in Articles 6(7), 9(4) and 9(6) of Directive 2001/20/EC for non-xenogeneic somatic cell therapy medicinal products shall be applicable to human tissue engineered products. The adaptations shall take into account the non-clinical development profile of, and relevant principles of good manufacturing for, human tissue engineered products, as well as the specific aims of clinical trials with human tissue engineered products and the need to adapt procedural aspects, qualifications of a qualified person and batch verification requirements to these specific products.

2. Detailed guidelines in line with the principles laid down in Directive 2001/20/EC and specific to human tissue engineered products shall be published by the Commission and, if necessary, revised to take account of technical and scientific evolution.
Article 10
(Good Manufacturing Practice)

1. Human tissue engineered products shall be manufactured in compliance with the principles and guidelines of good manufacturing practice laid down in Directive 2003/94/EC, subject to appropriate adaptations. The adaptations shall be adopted in accordance with the procedure referred to in Article 27(2).

2. Detailed guidelines in line with those principles and specific to human tissue engineered products shall be published by the Commission and, if necessary, revised to take account of technical and scientific evolution.

Article 11
(Medical Device-specific issues)

Without prejudice to Article 6(1) of Regulation (EC) No 726/2004, any medical device which forms part of a combination advanced therapy product shall meet the relevant essential requirements laid down in Annex I to Directive 93/42/EEC. The conformity with these essential requirements shall exclusively be assessed in accordance with the procedures laid down in this Regulation.

NOTE: The process is already described at article 17

CHAPTER 2
SPECIFIC REQUIREMENTS

Article 12

Without prejudice to Article 6(1) of Regulation (EC) No 726/2004, each application for the authorisation of a human tissue engineered product shall include a description of the physical characteristics and performance of the product and a description of the product design methods.

Article 13
(Technical requirements)

The Commission shall amend Annex I to Directive 2001/83/EC in order to lay down technical requirements that are specific to human tissue engineered products, in particular those referred to in Article 12, with a view to taking account of scientific and technical evolution and of the specific nature of this field. These requirements will be based on a
pre marketing risk analysis/control procedure. The amendments shall be adopted in accordance with the procedure referred to in Article 27(2), and can include specific provisions on the donation, procurement and testing of human cells and tissue.

Article 14
(Data protection)

Without prejudice to the law on the protection of industrial and commercial property, human tissue engineered products which have been authorised pursuant to this Regulation shall benefit from an eight-year period of data protection and a ten-year period of marketing protection, in which connection the latter period shall be extended to a maximum of 11 years if, during the first eight years of those ten years, the marketing authorisation holder obtains an authorisation for one or more new therapeutic indications which, during the scientific evaluation prior to their authorisation, are held to bring a significant clinical benefit in comparison with existing therapies.

Following this period, the principles of Article 10.4 of Directive 2001/83/EC will apply with regard to similar human tissue engineered products.

TITLE III
Marketing Authorisation Procedure

Article 15
(Centralised procedure)

No advanced therapy product may be placed on the market within the Community unless a marketing authorisation has been granted by the Community in accordance with the provisions of Regulation (EC) No 726/2004 and of this Regulation.

Article 16
(Evaluation procedure)

Where an advanced therapy product is concerned, the following procedure shall apply to an application for marketing authorisation:
1. The rapporteur is appointed by the Committee Advanced Therapies in accordance with Article 62 of Regulation (EC) No 726/2004. A co-rapporteur may be appointed by the Committee for Medicinal Products for Human Use.

2. The Committee for Medicinal Products for Human Use shall delegate to the Committee for Advanced Therapies any scientific assessment of advanced therapy products necessary to draw up the scientific opinions referred to in Article 5 of Regulation (EC) No 726/2004.

3. For the assessment of an advanced therapy product, the member of the Committee for Advanced Therapies referred to in the first paragraph shall act as rapporteur for the coordination of the evaluation. The Committee for Advanced Therapies shall also appoint a second member to act as co-rapporteur.

4. The Committee for Advanced Therapies shall draw up an opinion in accordance with Article 5 of Regulation (EC) No 726/2004.

5. The opinion issued by the Committee for Advanced Therapies shall be forwarded to the Chairman of the Committee for Medicinal Products for Human Use in such a way as to ensure that the deadline laid down in Article 6(3) of Regulation (EC) No 726/2004 is met. It shall at the same time be communicated to the applicant.

6. The Committee for Medicinal Products for Human Use shall fully take into account the opinion issued by the Committee for Advanced Therapies and shall endorse it. If necessary, the Committee for Medicinal Products for Human Use may invite the Chairman of the Committee for Advanced Therapies, the rapporteur, or co-rapporteur, to present orally the views of the Committee for Advanced Therapies. The applicant may also be invited to present its views orally.

In case the applicant disagrees with the opinion issued by the Committee for Advanced Therapies, the applicant shall be heard by the Committee for Medicinal Products for Human Use, if the applicant so requests within 15 days following receipt of the draft opinion.

7. Where the final opinion of the Committee for Medicinal Products for Human Use is not to endorse the draft opinion of the Committee for Advanced Therapies, the Committee for Medicinal Products for Human Use shall annex to its opinion a detailed explanation of the scientific grounds for doing so.
NOTE: Possible “veto” for non-scientific reasons can be imposed by the new Standing Committee. We do not see, at this stage any need for such a possibility.

8. The Agency shall draw up specific procedures for the application of this Article.

Article 16
(Consultation procedure for other medicinal products)

Without prejudice to Article 15, where a medicinal product requires, for the evaluation of its quality, safety and efficacy, expertise in one of the scientific areas referred to in Article 4(1), the Committee for Medicinal Products for Human Use may consult the Committee for Advanced Therapies, before issuing a final opinion on the concerned medicinal product. The Agency shall draw up specific procedures for the application of this Article.

Article 17
(Combined advanced therapy products)

a) During the process of evaluating a combined advanced therapy product, the Committee for Advanced Therapies may carry out consultations of one or several notified bodies as defined in Directive 93/42/EEC, for the purpose of assessing the conformity to the relevant Essential Requirements of the medical device(s) included in the concerned product. At the request of the Committee for Advanced Therapies, the concerned notified body shall transmit, within a period of one month, all information deemed necessary by the Committee to perform its assessment.

b) The Agency shall draw up specific procedures for the application of this article

\[4\] For coherence with Art. 11
TITLE IV  
Summary of Product Characteristics, Labelling and Package Leaflet

CHAPTER 1  
SUMMARY OF PRODUCT CHARACTERISTICS

Article 18  
(Summary of Product Characteristics)

By derogation from Article 11 of Directive 2001/83/EC, the summary of the product characteristics for human tissue engineered products shall contain the information listed in Annex I, in the same order.

CHAPTER 2  
LABELLING

Article 19  
(Outer/immediate packaging)
By derogation from Article 54 of Directive 2001/83/EC, the particulars listed in Annex II shall appear on the outer packaging of human tissue engineered products or, where there is no outer packaging, on the immediate packaging.

Article 20  
(Special immediate packaging)
Without prejudice to Article 55 of Directive 2001/83/EC, the following particulars shall appear on the immediate packaging referred to in Article 55(2) and 55(3) of Directive 2001/83/EC:
- the unique donation identifier, as referred to in Article 8(2) of Directive 2004/23/EC,
- in the case of human tissue engineered products for autologous use, the unique patient identifier and the statement “For autologous use only”.

CHAPTER 3  
PACKAGE LEAFLET

Article 21  
(Package leaflet)
By derogation from Article 59 of Directive 2001/83/EC, no package leaflet is required.

NOTE: hTEP are not intended to be used directly by the patient; information on the use of the product, shall be given to the user.
TITLE V

Post-authorisation Requirements

Article 22
(Risk Management)

1. In addition to the requirements for post-marketing monitoring laid down in Regulation (EC) No 726/2004 as amended, the applicant shall detail, in the marketing authorisation application, the measures to ensure the follow-up of efficacy and of possible adverse reactions to human tissue engineered products.

2. Where there is particular cause for concern, the Commission may require, as a condition for granting marketing authorisation, that a risk management system be set up or that specific post-marketing studies be performed and submitted for review by the Agency. Evaluation of the effectiveness of any risk management system and the results of any studies performed shall be included in the periodic safety update reports referred to in Article 24(3) of Regulation (EC) No 726/2004.

In addition, the Agency may request submission of additional reports evaluating the effectiveness of any risk management system and the results of any such studies performed.

3. The Agency shall forthwith inform the Commission if it is found that the marketing authorisation holder has failed to comply with the conditions referred to in the second paragraph.

4. The Agency shall draw up detailed guidelines relating to the application of this Article, in particular, for the application of articles 21 to 29 of Regulation 726/2004 to Advanced Therapy Products.

Article 23
(Traceability)

1. The holder of a marketing authorisation for a human tissue engineered product shall establish and maintain, or arrange for another person to establish and maintain, a system ensuring complete individual traceability of starting materials, as well as their treatment during manufacture, packaging and transport, to the extent the various steps are under his control.

Users of human tissue engineered products (the hospital, institution or private practice responsible for the implantation of the product) shall
establish and maintain a system for patient and product traceability as from receipt of the human tissue engineered product. This system shall contain sufficient detail to allow linking of each batch of product to the patient who received the human tissue engineered product.

These systems shall be established in accordance with the procedure referred to in Article 27(2).

2. The marketing authorisation holder and users shall ensure that the traceability systems established in accordance with the first paragraph are complementary to, and compatible with, those established in accordance with Article 8 of Directive 2004/23/EC as regards the donation, procurement and testing of human cells and tissues.

3. The marketing authorisation holder shall keep the data referred to in the first paragraph for a minimum of 30 years after delivery of the human tissue engineered product to the users, or longer if required by the Commission when granting the marketing authorisation.

Users of human tissue engineered products shall keep the data referred to in the first paragraph for a minimum of 30 years after receipt of the human tissue engineered product, or longer if required by the Commission when granting the marketing authorisation.

4. In case of bankruptcy or liquidation of the marketing authorisation holder, and in the event that the marketing authorisation is not transferred to another legal entity, the data referred to in the first paragraph shall be transferred to the Agency. The same shall apply in case of bankruptcy or liquidation of the users.

5. In the event that the marketing authorisation is suspended, revoked or withdrawn, the holders of the marketing authorisation and the users shall remain subject to the obligations laid down in the first, second and third paragraph.

6. The Agency shall draw up detailed guidelines relating to the application of this Article, in particular the type and amount of data referred to in the first paragraph.

7. Directive 95/46/EC shall not apply to the processing of personal data in order to ensure traceability of advanced therapy products under this Article.
Title VI
Incentives

Article 24
(Scientific Advice)

1 The sponsor, applicant or holder of a marketing authorisation for a human tissue engineered product may request advice from the Agency on the design and conduct of the various tests and studies necessary to demonstrate the quality, safety and efficacy of the product, in accordance with Article 57(1)(n) of Regulation (EC) No 726/2004.

In addition, the sponsor, the applicant or marketing authorisation holder may request advice on the design and conduct of vigilance and risk management systems as referred to in Article 22.

In case of doubt on the application of the definitions laid down in Article 2 of this Regulation, the sponsor applicant or marketing authorisation holder may also request advice to the Agency.

The Agency shall issue scientific advice within 30 days.

The Committee for Advanced Therapies shall take the advice issued in application of this Article into consideration when drafting its draft opinion pursuant to Article 15.

The Agency shall draw specific guidelines for the application of this Article.

2. By derogation from Regulation (EC) No 297/95, a 90% fee reduction shall apply to the fee payable to the Agency for the advice referred to in the first paragraph.

Article 24 bis
(General fees)

The fees for human tissue engineered products shall in principle not exceed 50% of the standard fees.

The Commission can adopt specific rules on fees in accordance with the procedure referred to in Article 27(2).
TITLE VII
General and Final Provisions

CHAPTER 1
GENERAL

Article 25
(Reporting)

Within 5 years of entry into force of this Regulation, the Commission shall publish a general report on the experience acquired as a result of its application.

Article 26
(Annexes)

Any changes which are necessary in order to adapt Annex I and II to this Regulation to scientific and technical evolution shall be adopted in accordance with the procedure referred to in Article 27(2).

Article 27
(Comitology)

1. The Commission shall be assisted by a Standing Committee on Medicinal Products for Human Use set up by Article 121(1) of Directive 2001/83/EC Advanced Therapy Products in the tasks required by this Regulation.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof. The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

CHAPTER 2
AMENDMENTS

Article 28
(Amendments)

Regulation (EC) No. 726/2004 is amended as follows:

(1) In article 1 first paragraph, shall now read:
The purpose of this Regulation is to lay down Community procedures for the authorisation, supervision and vigilance of medicinal products for human and veterinary use and for Advanced Therapy Products, and to establish a European Medicine Agency (hereinafter referred to as “the Agency”)

(2) In Article 10.3, add, after “Article 87(1)” the following: “or, as appropriate, the Standing Committee set up by Article 27 of Regulation (this regulation)

(3) In Article 56(1), the following point (da) is inserted: “(da) the Committee for Advanced Therapies;”

(4) In article 56 (2) replace “paragraph 1(a) to 1(d)” with “paragraph 1(a) to 1(da)

(4) In Article 57(1), the following point (t) is inserted:
“the tasks entrusted to it under [this Regulation]”

(3) In the Annex, the following point 1a is inserted:
“1a. Advanced therapy products, as defined in [this Regulation]”

CHAPTER 3
FINAL PROVISIONS

Article 29
(Transitional period)

1. For human tissue engineered products that were already legally on the market in the Community at the time of entry into force of this Regulation, the necessary applications to comply with this Regulation must be filed no later than 3 years after the entry into force of this Regulation (or after the entry into force of the technical requirements referred to in Article 13, whichever is later), and in which case the products in question can be placed on the market until a final decision is taken on the application.
Detailed guidelines on the content of these applications shall be published by the Commission

5 In principle, these applications should contain exclusively data on manufacturing, vigilance and risk management requirements.
2. By derogation to Regulation (EC) No 297/95, the assessment of an application submitted for the purpose of complying with the first paragraph shall be provided free of charge by the Agency.

Article 30

This Regulation shall enter into force on the [...] day following that of its publication in the Official Journal of the European Union. This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the European Parliament For the Council
The President The President
[...] [...]
ANNEX I: Summary of Product Characteristics
To be drafted

ANNEX II: Labelling
To be drafted