Machine Translated by Google

TECHNICAL NOTE Nº 17/2024/SEI/COPEC/DIRE2/ANVISA

Case No. 25351.934934/2022-10

Guidance for sponsors and Clinical Research Representative Organizations (CRPOs) on the instructions for submitting the request to Anvisa for the application of the optimized analysis procedure based on regulatory trust (Reliance) for petitions for DDCM, DEEC modifications of the and product under investigation and amendments to clinical protocols, under the terms of RDC No. 945/2024 and IN No. 338/2024.

1. Report

This document aims to provide guidance to sponsors and Clinical Research Representative Organizations (CRPOs) for submitting the request to Anvisa for the application of the optimized analysis procedure based on regulatory confidence (Reliance) for DDCM, DEEC and modifications of the product under investigation and amendments to clinical protocols petitions.

Collegiate Board Resolution (RDC) No. 945, of November 29, 2024, provides guidelines and procedures for conducting clinical trials in the country with a view to subsequently granting drug registration and establishes the optimized analysis procedure as a technical evaluation mechanism facilitated or simplified by regulatory trust practices (Reliance) or by risk or complexity criteria of the clinical trial or experimental drug.

The optimized analysis procedure based on

Machine Translated by Google

regulatory trust practices (Reliance) is the act by which Anvisa can consider and give significant weight to the evaluations carried out by a reliable Equivalent Foreign Regulatory Authority (AREE), as a sole or complementary reference, for its decisions and may be applied when requested by the sponsor, to petitions for approval in the process of the Clinical Development Dossier of Medication (DDCM), approval in the process of the Specific Clinical Trial Dossier (DEEC), in petitions for Modifications of the product under investigation and Amendments to Clinical Protocols.

Normative Instruction No. 338, of November 29, 2024, establishes, under the terms of RDC No. 945/2024, the list of Equivalent Foreign Regulatory Authorities (AREE) and details the criteria for adopting the optimized analysis procedure by reliance and evaluation risk and complexity of DDCM, DEEC petitions, substantial modifications to the product under investigation and substantial amendments to the clinical protocol. Equivalent Foreign Regulatory Authorities (AREEs) or international entity are those that have regulatory practices aligned with those of Anvisa, and that may be considered by Anvisa in a practice of regulatory trust (Reliance), as described in Art. 5th of IN nº 338/2024.

1. Analysis

Based on the practice of regulatory trust, when considering the evaluation of an Active Pharmaceutical Ingredient (API) and Investigational Product (DPI) Dossier, the Investigator's Brochure (BI) or a clinical protocol, carried out by an AREE, the analysis of these documents, as long as they are the same versions analyzed, may be partially or totally waived by Anvisa, except when it concerns a complex clinical trial, prophylactic and therapeutic vaccines and biosimilar products.

According to Art. 40 of RDC No. 945/2024, the optimized analysis procedure based on regulatory trust practices (Reliance) may be applied, when requested by the sponsor, to the following petition subjects:

I - Approval in the Development Dossier Process Medication Clinician (DDCM)

II - Consent in Clinical Research Process (DEEC);

III - Substantial modification to the product under investigation;

IV - Substantial amendment to the Clinical Protocol

Machine Translated by Google

According to Art. 45 of RDC nº 945/2024, the request for analysis using the optimized procedure may be requested by the sponsor at any time, through a secondary petition, before the analysis of the petition subject to the request begins. Subject codes for secondary petitions are as follows:

12102 – Clinical Trials – Optimized analysis procedure for Clinical Research Process Consent (DEEC).
12103 – Clinical Trials – Optimized analysis procedure for Substantial Amendment to the Clinical Protocol 12104 – Clinical Trials – Optimized analysis procedure for Approval in the Process of the Drug Clinical Development Dossier (DDCM)

11634 – Clinical Trials – Optimized Analysis Procedure for Substantial Modification to Investigational Product

RDC nº 945/2024 excluded the distinction previously present in RDC nº 9/2015 between DEEC foreseen and DEEC not foreseen in the Development Plan. Therefore, from the new RDC onwards, there will be a single subject code for the request to apply the optimized analysis procedure by Reliance, for the Specific Clinical Trial Dossier (DEEC), which will be code 12102.

3. Conclusion

RDC No. 945/2024 and IN No. 338/2024 were published on December 2, 2024 and will come into force on January 1, 2025. In this sense, considering the significant number of petitions still awaiting Anvisa's response, and what is described in Art. 90 of said RDC, this document, in addition to the guidelines for instructing the request for the application of the optimized analysis procedure based on Reliance, aims to **ALLOW** sponsors and ORPCs **to ANTICIPATE** requests, so that in early January 2025, while the RDC and IN are in force, petitions that meet the criteria for the application of the optimized procedure can be evaluated more quickly.

The guidelines provided in this document are restricted to the request to Anvisa for the application of the optimized trust-based analysis procedure.

Machine Translated by Google

regulatory (Reliance) and may be updated at any time, at the discretion of Anvisa.

To qualify DDCM petitions and respective initial DEECs to the criteria of RDC nº 945/2024 and IN nº 338/2024, the company must submit subject codes 12104 and 12102 in parallel so that the DDCM documents and the DEEC(s) linked(s) can be evaluated by the optimized analysis procedure.

The petitioning system does not allow a secondary petition to be linked to another secondary petition.
Therefore, considering that requests for application of the optimized analysis procedure must be made through secondary petitions, and petitions for substantial modification to the product under investigation and amendments to protocols are also secondary petitions, requests referring to these petitions must be linked to the DDCM and DEEC, by subject code 11634 and 12103, respectively.

The admissibility of the optimized analysis procedure **does not presuppose prioritization of petition analysis.**
Petitions will be analyzed in accordance with the chronological order of submission (issue date of the file), regardless of whether they fit into the optimized procedure. However, petitions prioritized under the terms of RDC nº 204/2017 and RDC nº 205/2017 may also be included in the criteria for applying the optimized analysis procedure, as long as requested by the applicant.

Therefore, COPEC strongly recommends that the applicant also submit the request for classification of prioritized petitions to the optimized analysis procedure.

It will be up to Anvisa to decide whether to accept the request for analysis using the optimized procedure, including opting for the ordinary analysis of the petition, regardless of the decision issued by AREE.

Petitions for initial DDCMs/DEECs, amendments to clinical protocols and changes that potentially impact the quality or safety of the product under investigation, for which the application of the optimized analysis procedure has been requested and for some reason have reached the deadline 90 days without the analysis having been initiated and completed, they will be Released by Expiration of Term, according to RDC No. 945/2024 and Law No. 14,874/2024 and petitions 12102, 12103, 12104 or 11634 will have their status updated to "Added to

Machine Translated by Google

process".

For cases of clinical trials involving more than one experimental drug and one of the DDCMs is without a linked DEEC, the applicant may request the application of the optimized analysis procedure for both DDCMs, using subject codes 12104 and 12102 for DDCM and DEEC, respectively, and code 12104 for DDCM that was left without DEEC.

This Technical Note does not modify any of the provisions of RDC No. 945/2024 and IN No. 338/2024, but merely clarifies and provides guidance on the application of the criteria of these regulations.

Document electronically signed by **Adriane Alves de Oliveira, Coordinator of Clinical Research in Substitute Medicines and Biological Products,** on 12/24/2024, at 09:44, according to Brasília official time, pursuant to § 3 of art. 4 of Decree No. 10,543, of November 13, 2020 http://www.planalto.gov.br/ccivil_03/_ato2019- 2022/2020/decreto/D10543.htm.

The authenticity of this document can be verified on the website https://sei.anvisa.gov.br/autenticidade, entering the verification code **3327171** and the CRC code **247CFD2F.**

Reference: Process No. 25351.934934/2022-10

YOU ARE nº 3327171