Republic of the Philippines
Department of Health
FOOD AND DRUG ADMINISTRATION

14 OCT 2020

FDA Circular
No. 2020-029

SUBJECT: Guidance on Applications for the Conduct of COVID-19 Clinical Trials

I. INTRODUCTION

The coronavirus disease (COVID-19) outbreak has been declared a pandemic. Undeniably, the country is in the midst of an emergency brought by the COVID-19 situation posing clear and present risks to the health and lives of the general public. A global search for an effective treatment and vaccine is on the race to save the lives of infected people against this emerging disease.

Prior the surge of the pandemic, the Food and Drug Administration (FDA) undertook to create a clear, simplified, and transparent regulation on the conduct of clinical trials. As thus, Administrative Order (A.O.) No. 2020-0010 otherwise known as "Regulations on the Conduct Clinical Trials for Investigational Products" was published.

In light of the current pandemic and to further align the current regulatory processes of the FDA with the policies of the Inter-Agency Task Force for the Management of Emerging Infectious Disease Resolution and the Department of Science and Technology, this Circular is hereby issued to guide researchers in navigating the regulatory landscape for COVID-19 related clinical trials.

II. OBJECTIVE

This Circular aims to provide the consolidated guidelines for sponsor/s, Contract Research Organization/s (CROs), and investigators, on COVID-19 related clinical trial applications.

III. SCOPE

This Circular applies to:

1. All Sponsors, CROs, and investigators involved in the conduct of COVID-19 related clinical trials; and,
2. Research Ethics Committees (RECs), Regulatory Reviewers/Scientific Advisory Committee (SAC), Department of Science and Technology (DOST)-Vaccine Expert Panel (VEP) engaged in the review, approval, and monitoring of the conduct of COVID-19 related clinical trials.

IV. GUIDELINES

1. Entities intending to undertake clinical trials for COVID-19 shall follow the rules, regulations, and standards provided in A.O. No. 2020-0010, "Regulations on the Conduct of Clinical Trials for Investigational Products", and the guidelines specified herein.

2. All establishments that intend to conduct COVID-19 clinical trials in the Philippines, shall first secure a License-to-Operate (LTO) as a Sponsor and/or CRO from the FDA through the Unified Licensing Procedure outlined in the A.O. No. 2020-0017, prior any application to secure further authorizations to conduct clinical trials. The requirement shall be as follows:

    a. Among the other information in the accomplished e-Application Form with Declaration of Undertaking, the applicant shall also provide the following:
        - Location Plan
        - Global Positioning System (GPS) coordinates
        - Name of the Qualified Person and Credentials [Professional Regulatory Commission (PRC) ID, Good Clinical Practice (GCP) Certificates]

    b. Proof of Business Name Registration
        - For Single Proprietorship, the Certificate of Business Registration issued by the Department of Trade and Industry;
        - For Corporation, Partnership, and other Juridical Person, the Certificate of Registration issued by the Securities and Exchange Commission (SEC) and Articles of Incorporation;
        - For Cooperative, the Certificate of Registration issued by the Cooperative Authority and Articles of Cooperation; or
        - For Government-Owned or Controlled Corporation, the Law creating the establishment, if with original charter, or its Certificate of Registration issued by the SEC and Articles of Incorporation, if without original charter

        When the address of the business or establishment is different from the business name registration address, the applicant must submit a copy of its valid Business Permit.

    c. Proof of income such as the latest audited Financial Statement with Balance Sheet to verify the capitalization of the establishment to their corresponding application fees.

    d. Payment of fees

3. After gaining the appropriate LTO, the Sponsor and/or CRO shall submit the COVID-19 clinical trial application to the FDA through email at clinicalresearch@fda.gov.ph, with the documentary requirements as per the A.O. No. 2020-0010 listed below. The applicant shall use only one (1) e-mail address in the submission of documents and in all correspondences regarding the clinical trial application.

    a. Table of Contents for Clinical Trial Application (Appendix C1)
    b. Cover Letter for Application (Appendix C2)

c. Accomplished Clinical Trial Application Form (Appendix C3)
d. Investigational Products and Ancillary Supplies Information (Appendix C4)
e. Accomplished Import License Application Form (Appendix C5), if the Investigational Product/s and Ancillary Supplies are to be imported into the Philippines
f. Letter of Authorization, if the applicant is not the Sponsor (Appendix C6)
g. Clinical Trial Protocol and Protocol amendments where applicable
h. GCP Certificate and Curriculum Vitae for Investigators of each trial site
i. Informed Consent Form, Assent Form (if applicable), in English and Filipino Version
j. Investigator's Brochure (IB)
k. Pharmaceutical Data (ASEAN Common Technical Dossier should be followed)
l. GMP Certificate
m. Shipping condition for IP
n. Labeling Materials (i.e., primary and/or secondary packaging) for Investigational Product
o. Proof of Payment (PhP 2,525.00)

4. The evaluation process and regulatory decisions for therapeutic and vaccine clinical trials shall be as follows:

A. Therapeutic COVID-19 Clinical Trial

a. A clinical trial for therapeutics of COVID-19 shall gain authorization from the FDA for its conduct in the Philippines through the process of approval illustrated in Annex A.
b. An application is deemed filed upon submission of the documentary requirements including payment of fees.
c. Upon receipt of the application, the FDA shall review the completeness and veracity of the documentary requirements in not more than eight (8) calendar days and shall assign a Regulatory Reviewer for the clinical trial application.
d. An application shall be processed by the FDA Regulatory Reviewers in not more than fourteen (14) calendar days upon receipt of the application. A fee of Sixty Thousand Pesos (PhP 60,000.00) shall be charged to the applicant. If there is a need for any clarification on the application, an electronic notification shall be sent to the applicant; the processing time or clock stops in this step. The applicant is expected to respond to the query/ies within seven (7) calendar days from sending of e-mail correspondence. If response is not received from the applicant within the required period, the application shall be disapproved.
e. The FDA shall issue a decision in not more than 8 calendar days upon receipt of the recommendation from the Regulatory Reviewers.

B. Vaccine COVID-19 Clinical Trial

a. All evaluations of vaccine COVID-19 clinical trial should follow the Resolution No. 65 s. 2020 Section C of the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Disease, which states that all applications for vaccine clinical trials must initially be submitted to the Vaccine Expert Panel (VEP) of the Department of Science and Technology (DOST). Simultaneously, the application shall be reviewed by the designated Ethics Board. Lastly, if the application was found to have merit to conduct such clinical trials, it shall be submitted to the FDA for evaluation as illustrated in Annex B.

b. The Sponsor and/or CRO shall submit the following documentary requirements to the Sub-TWG for Vaccine Development through DOST-PCHRD via email at VEPsubmissions@pchrd.dost.gov.ph:

    i. Letter of intent to conduct clinical trial addressed to Sub-TWG Chair and DOST Undersecretary for Research and Development, Dr. Rowena Cristina Guevara;
    ii. Investigational Product (IP) and Ancillary Supplies Information (Appendix C4);
    iii. Clinical Trial Protocol and Protocol Amendments where applicable;
    iv. Informed Consent Form/ Assent Form if applicable, in English and Filipino version ; and
    v. Investigator's Brochure (IB).

c. Upon receipt of endorsement from VEP and Ethics Board through the Sub-TWG for Vaccine Development, the applicant shall provide the complete documentary requirements and its proof of payment (PhP 2,525.00) to the FDA to facilitate the review of the completeness and veracity of the documents. The application is deemed filed only upon acceptance of such documents by the FDA. The application shall then be assigned to the Regulatory Reviewers.

d. The FDA Regulatory Reviewers shall process the application in not more than 14 calendar days upon its receipt and a fee of Sixty Thousand Pesos (PhP 60,000.00) shall be charged to the applicant. If there is a need for any clarification on the application, an electronic notification shall be sent to the applicant; the processing time or clock stops in this step. The applicant is expected to respond to the query/ies within 7 calendar days from sending of e-mail correspondence. If response is not received from the applicant within the required period, the application shall be disapproved.

e. The FDA shall issue a decision in not more than 8 calendar days upon receipt of the recommendation from the Regulatory Reviewers.

f. Also, COVID-19 vaccine trial should follow the existing zoning guidelines issued by the Sub-TWG for Vaccine Development.

5. Any COVID-19 clinical trial shall only commence once the approval from the FDA and Institutional RECs have been issued.

6. The Import License (IL) and the Clinical Trial Approval (CTA) shall both be issued with a validity of three (3) years for both documents. The IL can be used repeatedly within the validity period.

7. The responsibility of ensuring the quality of products used in the conduct of clinical trials lies on the Sponsor/s and CRO/s involved in the conduct of the studies.

8. The Sponsor or CRO shall notify the FDA, on a quarterly basis, of shipments of investigational products and ancillary supplies entering the country by submitting the following documentary requirements as stated in the A.O. No. 2020-0010:

    a. Cover Letter (FDA-CRS Form 2.0)
    b. Proof of Payment (PhP 510.00 per shipment)
    c. Investigational Product Importation Report (FDA-CRS Form 9.0)
    d. Ancillary Supplies Importation Report (Appendix D4), if applicable
    e. Copy of Proforma Invoice/s

9. All COVID-19 clinical trials shall be uploaded to the Clinical Trial Registry within thirty (30) calendar days after the receipt of the FDA CTA and/or approval of amendments. This is to make all information on any clinical trial available to the public for transparency.

10. Clinical trial protocol amendments, whether for notification or for prior approval, should be submitted with the following documentary requirements as stated in the A.O. No. 2020-0010:

    a. Cover Letter (FDA-CRS Form 2.0)
    b. Application Form (Appendix D1)
    c. Original version, corresponding amendment/s and rationale in a tabulated format
    d. Supporting data
    e. Proof of Payment (PhP 1,010.00)

    The FDA shall provide a decision on the amendment applications within fifteen (15) calendar days since its filing. If there is a need for any clarification on the application, an electronic notification shall be sent to the applicant; the processing time or clock stops in this step. Thereafter, the applicant is expected to respond to the query/ies within five (5) calendar days from sending of e-mail correspondence. If response is not received from the applicant within the required period, the application shall be disapproved.

11. Reporting of all Suspected, Unexpected Serious Adverse Reaction (SUSAR) shall comply with all applicable regulatory requirements and the International Council for Harmonisation Guideline for Clinical Safety Data Management: Definition and Standards for Expedited Reporting (ICH E2A).

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12. The Sponsor or CRO shall submit a monthly study progress report for COVID-19 clinical trials to the FDA using the format in Appendix G of the A.O. No. 2020-0010.

13. The Sponsor CRO shall inform the FDA on the early trial termination or end of trial of COVID-19 clinical trials as per the A.O. No. 2020-0010.

14. FDA shall have the authority to enter concerned establishments to conduct inspections in order for the following: a) to ensure that the rights, safety, and well-being of the study subjects have been protected, b) to ensure integrity of the scientific data collected, and c) to assess adherence to GCP principles and other applicable FDA regulations.

V. SEPARABILITY CLAUSE

If any provisions in this Circular, or application of such provision to any circumstances, is held invalid, the remainder of the provisions in this Circular shall not be affected.

VI. EFFECTIVITY

This Order shall take effect immediately.

ROLANDO ENRIQUE D. DOMINGO, MD
Director General

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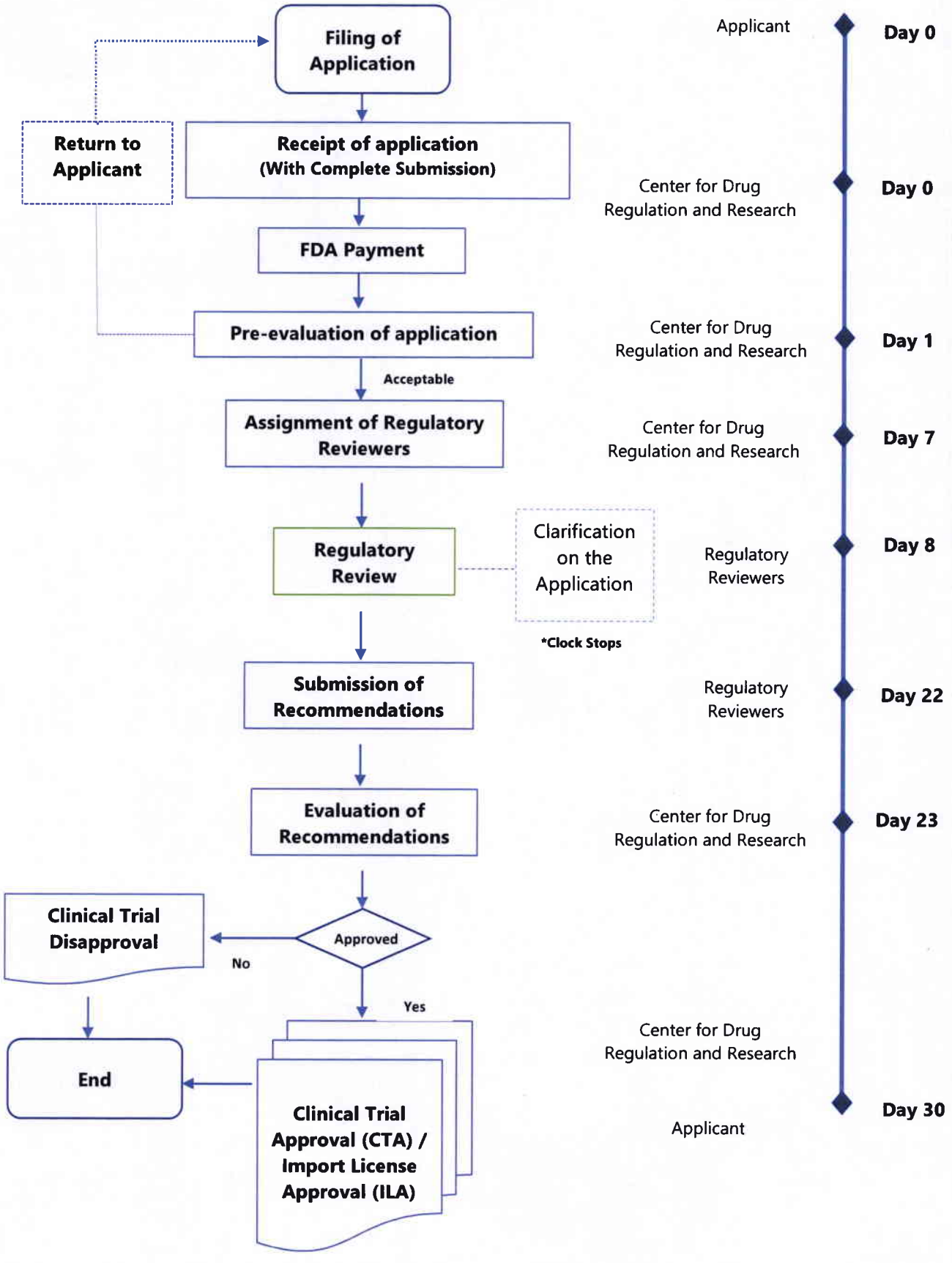
Annex A

Therapeutic COVID-19 Clinical Trial Approval Process Flow Chart

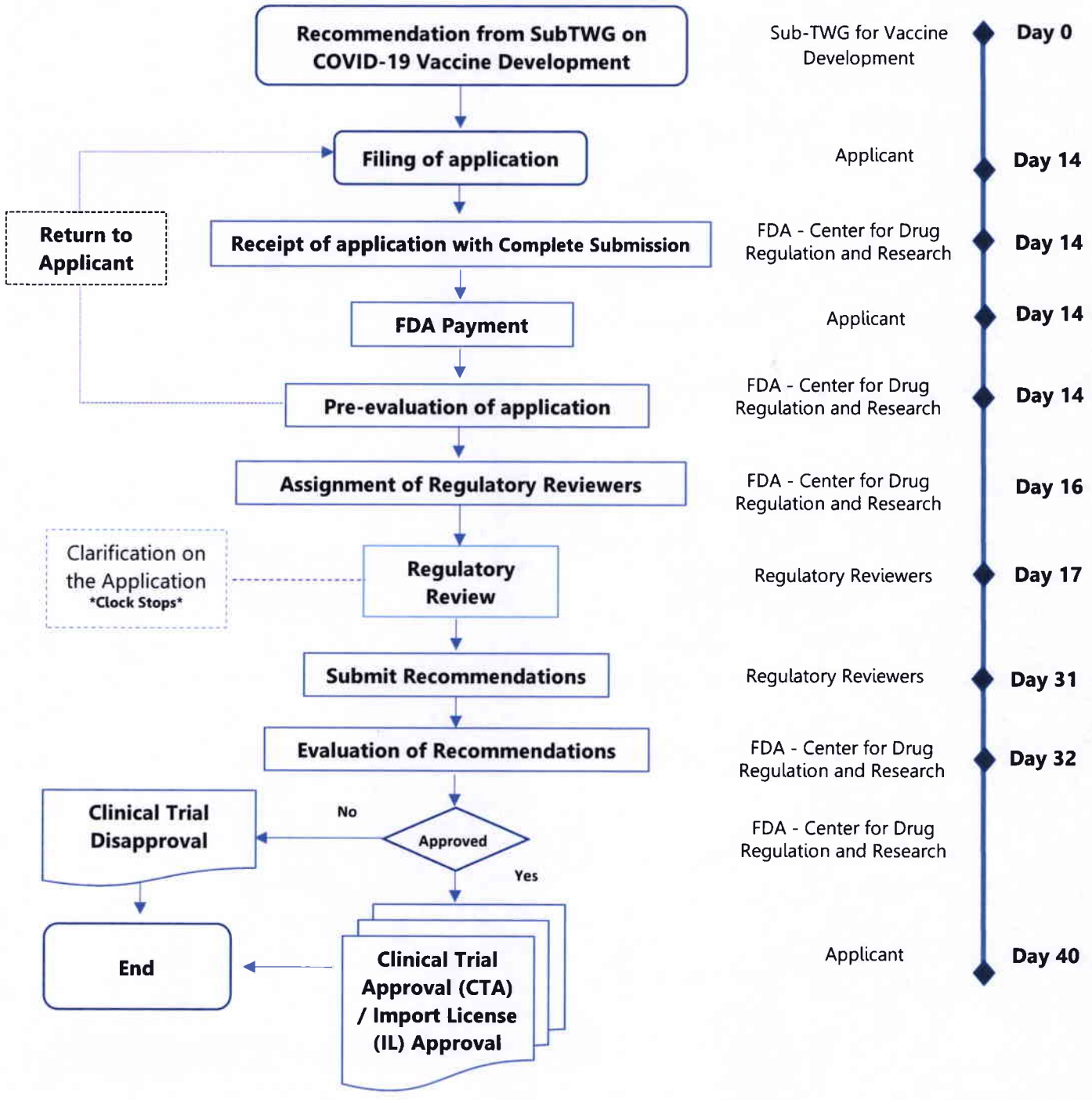


**If the Regulatory Reviewers request for supplementary information from the applicant, the clock stops on the day the request is sent via email. Review will commence on the day the response is received.*

***Applicants are advised to coordinate with Department of Health (DOH) for reportorial requirements.*

Annex B

Covid-19 Vaccine Clinical Trial Approval Process Flow Chart



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