The Role and Duties of the EU Qualified Person (QP)
Here from NSF-DBA Today

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Who are NSF-DBA?

- **25 year old company, originating in UK**
  - Resources now in UK, USA, Italy, Switzerland, Germany, Asia
- **8 partners, 50+ consultants, strong administrative staff**
  - All our partners and consultants are highly experienced, offer pragmatic solutions and remain current in subject matter
- **Very strong reputation**
- **Strongly growing US business and reputation**
  - Boston office opened in late 2008
  - Client base and reputation growing
- **Now part of the NSF Health Science Division of NSF International, a US non-profit life-sciences company**
  - Includes Becker and Associates Pharma and Devices
Pharmaceutical Quality and Technical education/training – we conduct both in-house and at external venues on topics related to Quality Management, Technical topics and GMP compliance in pharmaceutical manufacturing, control and supply.

- We are the pre-eminent trainers of QPs in the UK. This has been a core part of our business since the company was established in 1986.
NSF-DBA

- NSF-DBA Focus?
  - Consultancy – on a broad range of Pharmaceutical and Biotech regulatory and technical matters – including pre-approval inspection readiness, quality system assessment, advice on facility design and validation – all to meet global standards.
  - Auditing – we undertake a range of types of audits from broad-based Quality System assessments and company due diligence audits to focused supplier/vendor audits.
Legal Duties of the QP

- Defined in EU Directives:
  - Directive 2001/82/EC
    - For marketed veterinary medicinal products
  - Directive 2001/83/EC
    - For marketed human medicinal products
  - Directive 2001/20/EC
    - For investigational medicinal products
Legal Duties – Directive 2001/82 & 83 (Marketed Product)

Ensure that:

- Each batch of product has been manufactured in compliance with:
  - National laws
  - Requirements of Marketing Authorisation

- Each batch imported from outside the community has undergone in the EU:
  - Full qualitative analysis
  - Quantitative analysis of at least all the active constituents (note: exemptions where MRA exists)
  - All other tests to show compliance with the Marketing Authorisation
Legal Duties – Directive 2001/82 & 83 (Marketed Product)

- Where the product is released for sale, QP must certify in a register or equivalent that above requirements have been satisfied
  - Note: Certification must precede physical release to market
- All these requirements essentially similar for IMP’s
Areas for Differing Interpretation in EU Member States

- **QP Education**
  - Article 49 of EU Directive 2001/83/EC as amended specifies QP education requirements
  - How EU Member States have incorporated these requirements has varied between Member States

- **Way of Incorporation of QP Role in National Law**
  - The way of naming the QP and delegation of the activities also varies between Member States
United Kingdom

- Education
  - QP has to be a member of a professional body (Chemistry, Pharmacy or Biology)
  - List of persons eligible to act as QP maintained by professional bodies

- Naming of QP
  - All QPs have to be named on the site manufacturing authorisation (and therefore approved by Authorities)

- Code of Practice and Study Guide adopted
  - Not in use in other countries
France

- **Education**
  - QP has to be a member of the French Pharmacist professional body
  - List of persons eligible to act as QP maintained by this professional body

- **Naming of QP**
  - Each legal entity must have a “Pharmacien Responsible”
  - This role is normally at a high level in the Company
  - Working QPs at site are appointed by a system of delegation (but not named on site authorisation)
Named Roles ‘Similar’ to EU QP

- Japan
  - Marketing Compliance Officer

- Brazil
  - Farmaceutico Responsauel
  - Responsible Technician

- Turkey
  - Responsible Person

- China
  - ‘QP’ type role in pilot
The Pharmaceutical Business

Legal
Ethical
Professional

QP

Code of Practice
QP Acting Within the Code

- The **POWER** to say **YES**
- The **DUTY** to sometimes say **NO**
- Act ethically to make the **RIGHT** decisions
- Protect the Patient
- Manage Business Pressures
- Inform the Regulators of serious issues
- A Very Personal Responsibility
Legal Duties of the QP

- Certification
  - Must be performed by QP
  - Must precede batch release

- Release
  - Need not be by a QP
Challenges – Increased Scope of Role (now)

- GMP certification of active substance suppliers
  - Coming from requirements of Article 46(f) of EU Directive 2001/83/EC
  - Being requested at time of Marketing Authorisation (MA) submission or renewals
  - Starting to be challenged in inspections also

- MA renewals
  - QP required to sign “state of the art” declaration
Challenges – Increased Scope of Role (coming)

- GMP for certain excipients?
  - Scope still being discussed
  - EU Commission reviewing (again…)
  - Joint industry group have been involved in discussions with EU Commission
  - Once finalized it is possible again to fall to the QP to certify GMP compliance…
Challenges – The QP in a Large Organisation

- Industry, especially large Pharma, have moved to globalised supply chains
- More movement of product in intermediate stages between sites
- Large organisations have many legal entities
Types of Production and Certification

(5.1) 1 site
= 1 QP responsible, but can delegate

(5.2) 2 sites - QP for each stage Need TA
Certify by 1 using others work

(5.3) Contracting - Need TA
1 QP of MA holder; overall responsibility
1 QP contractor may confirm
Types of Production and Certification

- One site makes and several package
  (5.5)
  Different MAs e.g. generic purchases
  Certifying QP at B, C, D releases
  using data from A
  QP at A must have information from
  B, C, D
  MUST have a TA

- FP purchased and released under
  own MA (5.6)
  QP of PURCHASER must certify + TA
KEY PRINCIPLE:

- Responsibility for the correct manufacture of a batch should be overall concern of the QP who certifies product for release

HOWEVER:

- Acknowledges potentially complex arrangements for manufacture
- QP may not be involved in every aspect
- QP may need to rely on others

BUT

- Must establish reliance is well founded
HOW to establish reliance is well founded?

- Personal knowledge
- Expertise of people involved
- Confidence in the Quality System

OR?

- Certification by a QP of satisfactory intermediate manufacture within a Quality System approved by the QP who certifies the finished product batch
International Multi-site Supply Chain

- A typical supply chain
Annex 16 – General

- Importance of **WRITTEN AGREEMENT** or **FORMAL CONTRACT** to define and control arrangements:
  - Different sites of same company
  - Different organisations
- Agreements in line with Chapter 7
- Agreement to cover any matter that releasing QP might need to know
Products Imported From a Third Country

- Requires testing on importation
  - A trade barrier?
  - Must be at a lab in the EU
- Then certification by a QP
  - QP of importer to certify/release
  - May take account of certification by QP of another manufacturing/importation authorisation holder
  - Written agreement to be in place
Products Imported from a Third Country Having MRA with EU

- Third Country with MRA with EU
  - Unless otherwise specified, MRA does not remove requirement for QP release

**BUT**

- Reduced testing on import may be possible
- QP must ensure imported material complies with national legislation (e.g. labelling)
- QP must be confident in conditions of storage and transportation
What Is The Role Of QP Certifying Batch Final Release?

To:

- Ensure there is a system to evaluate and approve the quality systems used by all suppliers in the supply chain which:
  - Ensures GMP at manufacturing sites
  - Reviews and investigates deviations correctly
  - Reviews and approves changes correctly
  - Certifies suppliers of APIs
  - Qualifies suppliers of excipients
  - Rely on confirmation of another QP in supply chain

HELP!!!

- Review all non-compliance with GMP at manufacturing sites?
- Review and approve all critical deviations and investigations in supply chain?
- Review and approve all changes in supply chain?
- Ensure work is carried out within terms of the contract?
- Take personal responsibility for all manufacturing stages?
- Certify supplier of API?
- Qualify suppliers of excipients?
What is the role of QP?

To certify before release for sale or for export that:

- the batch has been manufactured and checked in accordance with the requirements of its marketing authorisation(s), the principles and guidelines of EC GMP or the GMP of a 3rd country and/or any other legal requirement before it is placed on the market.

To ensure there is a quality system in place which

- monitors global marketing authorisation applications, approvals and changes
- monitors local GMP and legal requirements
- and which ensures that a batch is manufactured in accordance with its marketing authorisation and local legal requirements
What is the role of QP?

- To certify batches

The QP role should *not* be an administrative one focused on batch release paperwork.
Routine Duties of the QP

- QP should **ENSURE**:  
  - Compliance with the MAA  
  - Compliance with GMP  
  - Manufacturing and testing processes validated  
  - Deviations and changes approved and additional samples tested (if necessary)  
  - Checks and tests performed  
  - Documents completed and endorsed  
  - Audits carried out  
  - **ALL** relevant factors considered

- Easy isn’t it……………??
Routine Duties of the QP

- Applies equally to Intermediate AND to the final QP (unless otherwise agreed in technical contract)
- The QP is required to maintain knowledge and experience... scientific progress AND Quality Management (CPD!)
- If the QP is not familiar with processing/products... must first ensure that he/she has first gained the relevant knowledge
Summary – Role of the QP

- QP’s have to act ethically and balance the needs of their stakeholders when making decisions:
  - Personal
  - Company they work for
  - Regulatory Agencies
  - THE PATIENT

- There are many legal requirements and regulatory expectations to be satisfied by the QP
  - They have to rely on confidence in Systems and Individuals
  - They have to have sufficient experience and seniority to make decisions without undue pressure
THANK YOU