March 4, 2021

Docket Number: FDA-2020-D-2199
Dockets Management (HFA-305)
Food and Drug Administration (FDA)
5630 Fishers Lane
Room 1061
Rockville, MD 20852

Re: Comments for FDA Docket Number: FDA-2020-D-2199; IND Submissions for Individualized Antisense Oligonucleotide Drug Products: Administrative and Procedural Recommendations; Draft Guidance for Sponsor-Investigators; Availability

Dear Sir/Madame:

The Alliance for Regenerative Medicine (ARM) commends the FDA for the issuance of the draft guidance providing administrative and procedural recommendations for Sponsor-Investigators on IND submissions for individualized antisense oligonucleotide (ASO) drug products. We appreciate FDA’s attention to this important developing field. In addition to the current procedural guidance, there are many rare and very rare severely debilitating or life-threatening diseases, with no adequate therapies, available, that could benefit from FDA regulatory science guidance. In this letter, ARM provides general comments and suggestions; as well as specific comments on the topic of confidentiality concerns for outside participants for the Agency’s consideration as they finalize the draft guidance.

ARM is the leading international advocacy organization dedicated to realizing the promise of regenerative medicines and advanced therapies. ARM promotes legislative, regulatory and reimbursement initiatives to advance this innovative and transformative sector, which includes cell therapies, gene therapies and tissue-based therapies. Early products to market have demonstrated profound, durable and potentially curative benefits that are already helping thousands of patients worldwide, many of whom have no other viable treatment options. Hundreds of additional product candidates contribute to a robust pipeline of potentially life-changing regenerative medicines and advanced therapies. In its 11-year history, ARM has become the voice of the sector, representing the interests of 370+ members worldwide, including small and large companies, academic research institutions, major medical centers and patient groups.
General Comments
This guidance addresses initial development of individualized ASO drug products to facilitate submission of pre-IND and IND applications but does not address regulatory considerations for the development of these drug products for severely debilitating or life-threatening genetic diseases. FDA notes most often individuals with such diseases will not have FDA approved treatment options and their diseases will be rapidly progressing, resulting in early death and/or devastating irreversible morbidity within a short time. FDA further states that in these situations, due to the specificity of treatments and rarity of treatment amenable patients, development targeted at a larger number of patients is not anticipated. As a result, the guidance specifically does not address regulatory science considerations for treating the first or first few patients and the continued use by and long-term treatment of these patients.

It would be of benefit to investigators, sponsors and patients alike to receive FDA guidance specifically on regulatory considerations to support first in human exposure/treatment, collection of data on efficacy, short and long term follow up, treatment outcomes, and small-scale manufacturing that could inform future patient treatments and, eventually, clinical trials to support an FDA approved product for these patients.

We note this draft guidance represents CDER’s perspective on this important topic. We would also appreciate procedural guidance and regulatory considerations from CBER on cell and gene therapies for rare and very rare severely debilitating or life-threatening diseases, with no adequate therapies. We look forward to working with FDA on this important matter as future guidances are developed.

Specific comments on Section III.C on Confidentiality Concerns for Outside Participants
ARM appreciates the clarifying recommendations and FDA’s interpretation provided in the draft guidance in Section III.C on “Confidentiality Concerns for Outside Participants.” ARM strongly disagrees with the Agency’s interpretation. We note, when at the specific request of a sponsor, patients and families participate in confidential meetings with FDA, such FDA meetings are not a public disclosure of commercial confidential information, and that all attendees, FDA, Sponsors, and all other invited participants included, are bound to confidentiality.

In conclusion, ARM appreciates the opportunity to provide comments on this draft guidance to the Agency. Please reach out to us if you have any questions about our comments or if we can assist the Agency in any way as they finalize this important guidance.

Sincerely,

Robert J. Falb
Director, U.S. Regulatory Affairs