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Where the Roads to Accelerated Assessments Converge

FRPath.org Country and FRP Information Input Form		
Country: Canada	**Agency Name:** Health Canada	
Name of FRP: Notice of Compliance with Conditions (NOC/c)		
Is this FRP Proposed or Active? Active		
Date FRP was officially enacted: 5/1/1998		
1. Facilitates activities during development	**2. Accelerates the regulatory review process**	**3. Relies on or recognizes a prior regulatory decision**
☒	☒	☐

Is a Guidance or SOP describing how to apply this FRP publicly available?	Yes- see reference below
When should the FRP be requested?	Before the marketing authorisation submission
Does the agency provide assistance/advice to the sponsor?	Yes- For any product type
For which types of product(s) can this FRP be used? E.g. NMEs, generics, biologics, biosimilars, all products	The Notice of Compliance with Conditions policy applies to: 1. Abbreviated New Drug Submission (NDS) and Supplement to an Abbreviated New Drug Submission (SNDSs) for a serious, life-threatening or severely debilitating disease or condition for which there is promising evidence of clinical effectiveness based on the available data that the drug has the potential to provide: (i) effective treatment, prevention or diagnosis of a disease or condition for which no drug is presently marketed in Canada; or (ii) a significant increase in efficacy and/or significant decrease in risk such that the overall benefit/risk profile is improved over existing therapies, preventatives or diagnostic agents for a disease or condition that is not adequately managed by a drug marketed in Canada. 2. ANDS and SANDS in instances where the Canadian Reference Product still holds the NOC/c status. In all cases, a prerequisite for issuance of an NOC, qualifying under the NOC/c policy, will be the sponsor's written commitment to pursue undertakings acceptable to Health Canada. As with similar programs in other international jurisdictions, the NOC/c designation applies to the product's specific indication being studied, and not the drug product alone. Prior to authorization, the sponsor must submit a "Letter of Undertaking" acceptable to Health Canada which includes: 1. Sponsors of an NDS or SNDS must undertake to design, carry out and report on well-designed confirmatory trials to verify the clinical benefit of the drug. The sponsor must undertake to carry out any such trials in accordance with established

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	scientific standards. 2. Sponsors of an ANDS or SANDS that references a Canadian Reference Product (CRP) with NOC/c indications, must undertake to design, carry out and report on well-designed confirmatory trials to verify the clinical benefit of the drug, if deemed necessary given the status of the molecule. 3. All sponsors must undertake to pursue enhanced post-market monitoring and report on the safety and effectiveness of the drug product. 4. All sponsors must clearly reflect and highlight the conditions under which the drug product is authorized in the Product Monograph, the Consumer Information Section/Patient Medication Section and/or the labelling for that product. The sponsor may be requested for an undertaking to comply with restrictions deemed appropriate by Health Canada on the advertising and/distribution of the drug product. *Once a sponsor provides Health Canada with satisfactory evidence of the drug's clinical effectiveness, and Health Canada is satisfied that all the conditions agreed upon at the outset have been met, the conditions associated with market authorization will be removed in accordance with the NOC/c Policy.
Must the product address an unmet medical need or serious condition?	Yes
If a fee is required, what is the amount (in US$ equivalent)	Health Canada will publish a Notice of Intent in Canada Gazette every fall specifying the fee amounts that will take effect the following April 1st. Health Canada's web site will be updated accordingly. Note that the fee payable is based on the filing date of the submission or application. That is, the date Health Canada deems the submission or application to be administratively complete with all elements completed to Health Canada's standards. The filing date and the date Health Canada receives the submission or application will be the same if the submission or application is accepted for preliminary examination as is, with no adjustments required. However, the filing date will lag behind the date of receipt in the event that Health Canada finds the submission or application to be administratively incomplete and must ask the sponsor for additional information.
Total target (agency) time for assessment (calendar days)	- The sponsor **is required** to deliver a pre-NDS or pre-SNDS presentation to the appropriate Directorate within Health Canada outlining the evidence of effectiveness to be provided in the

	submission. Sponsors should submit a pre-submission meeting information package to the appropriate Directorate in advance of the meeting. For further information, sponsors are advised to contact the appropriate review Directorate. - **Within 10 working days** of the finalization of the meeting minutes, the sponsor will be notified by Health Canada of the eligibility of the drug submission for filing and consideration under the NOC/c Policy. - Should Health Canada have no objections, the sponsor may submit the drug submission for screening no later than 60 calendar days following notification of eligibility. A drug submission shall contain all the data and material required to adequately assess the safety, quality and clinical efficacy of the drug. Sponsors must, at this time, clearly state that the product is filed for consideration under the NOC with conditions policy. Drug submissions reviewed under NOC/c policy will be subject to the Management of Drug Submissions Guidance and the applicable fee regulations. - Sponsors filing drug submissions for consideration under the NOC/c policy, without having completed the requirements listed above and without having received notification of eligibility, will be rejected at screening. - Submissions filed for advance consideration under the NOC/c policy on the basis of promising clinical evidence are not eligible for Priority Review status. Upon acceptance at screening, such submissions will be subject to a review target of 200 calendar days (+10 days SIPD +25 days screening) and monitored in accordance with Performance Measurement standards. - Consideration of an ANDS or SANDS for NOC/c status will be granted in situations where the CRP also holds the NOC/c status. In instances where the CRP does not hold the NOC/c status, the ANDS can only be considered under the NOC/c policy via an NDS/SNDS for a new indication that fits the NOC/c policy objective. - ANDSs or SANDSs that references a CRP with NOC/c status will be subject to a review target of **180 days**.
Total target (company) time for	Click here to enter text.

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responses to agency questions (If stated)	

Select one of the following (* see definitions at end of document)

Is this a verification review (a recognition pathway)?*	**Is this an abridged* review (selected dossier portions)? (a reliance pathway)?***	**Is this a full* review of all parts of the dossier?**
☐	☐	☒

If this is a reliance or recognition pathway, what are the accepted reference agencies?	Health Canada makes their own independent decisions. However, it is possible (and recommended) to submit the major Q & As issued during the foreign review, along with the Foreign Agency Reviewers Reports. If the submission includes foreign review report, it is recommended to include a completed Foreign Review Attestation Template. The extent to which Health Canada will use foreign reviews varies. The Canadian regulatory decision can be based on a critical assessment of the foreign reviews, on the Canadian review only or on a mixture of both.
How many reference agency decisions are required?	Not Applicable.
Does this FRP require submission of Assessment Reports from prior decisions?	Unredacted
Is a CPP (Certificate of Pharmaceutical Product) required for approval?	Choose an item.
Can an alternate form of reference documentation to the CPP be used? If so, what types of documents?	Click here to enter text.
If this process is through a Regional Regulatory Initiative, which countries participate in this process?	No, this process is not through a Regional Regulatory Initiative.
Does the product have to have been marketed in another country? For a specific amount of time? If so, for how long?	Health Canada makes their own independent decisions. However, it is possible (and recommended) to submit the major Q & As issued during the foreign review, along with the Foreign Agency Reviewers Reports. If the submission includes foreign review report, it is recommended to include a completed Foreign Review Attestation Template. The extent to which Health Canada will use foreign reviews varies. The Canadian regulatory decision can be based on a critical assessment of the foreign reviews, on the Canadian review only or on a mixture of both. The provision of foreign review reports in an NDS is not mandatory, but highly recommended. Indeed, they are usually requested at screening if not included within the original submission. In addition, within the Screening Acceptance letter, Health Canada usually requests the

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	sponsor to share the Questions from foreign regulatory agency reviews and the sponsor's answers, during the review of the NDS. When the Canadian agency has questions that have already been addressed in a response to questions from a foreign agency, it likely reduces the number of questions to be raised to the sponsor, accordingly.
How are queries to the companies sent?	As they arise
Are external reviewers (e.g. non-agency) involved in the assessment?	Yes- as needed
Post-authorization study commitments	Always required
For how long is the initial approval or designation valid?	Choose an item.
Any other details you wish to provide?	- Health Canada issued its first Notice of Compliance with Conditions (NOC/c) Policy on May 1998. In November 2002, the policy was revised to enhance consistency of application in light of similarities to the Priority Review Policy. A guidance document was also released then to facilitate the consistent application of educational material for NOC/c products, through the creation of various templates. Since 2002, the Policy and Guidance documents have remained substantively unchanged except for consequential amendments to incorporate the 2006 Guidance on the Reconsideration of Final Decisions Issued for Human Drug Submission and 2007 administrative changes to correct translation inconsistencies. - The benefits of the NOC/c policy are twofold: (1) It facilitates earlier access to the drug by physicians and patients. The acceptance of promising evidence of clinical effectiveness allows for the filing of an eligible drug submission earlier than normally possible. Should the outcome of the review be positive, the time to approval and market for the drug may be shortened. It should be noted that the time to agreement on the acceptability of the contents of the "Letter of Undertaking" will affect the overall time to market; (2) It provides the means to effectively monitor, and report on, the safety and efficacy of promising new therapies through enhanced post-market surveillance initiatives. - A longer review target (200 days) is needed to

	review a submission for an NOC/c compared to a Priority Review submission (180 days) because the data to support authorization under the NOC/c policy is often: (i) limited due to a small number of patients eligible for clinical trial participation, (ii) based on surrogate marker data predictive of clinical benefit or, (iii) larger trials in which final outcomes of morbidity and mortality are lacking. NOC/c submissions are comparable in size to "standard" submissions and the regulatory decisions rely on a more difficult clinical assessment of the available evidence and a determination of the benefit/risk profile of the product. When compared to a Priority Review submission, additional time is required to consult internally with review staff or outside experts to determine the validity of clinical endpoints as well as determine and discuss the nature of confirmatory trials with the sponsor.
Date of this update	5 APRIL 2020
References	1. Guidance Document: Notice of Compliance with Conditions (NOC/c). https://www.canada.ca/en/health-canada/services/drugs-health-products/drug-products/applications-submissions/guidance-documents/notice-compliance-conditions.html Accessed on 5 April 2020. 2. Notice of Compliance with Conditions -NOC/c (Therapeutic Products). https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/dhp-mps/alt_formats/hpfb-dgpsa/pdf/prodpharma/noccfs_accfd-eng.pdf Accessed on 5 April 2020. 3. GUIDANCE DOCUMENT: Notice of Compliance with conditions (NOC/c) - Published by authority of the Minister of Health. https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/dhp-mps/alt_formats/pdf/prodpharma/applic-demande/guide-ld/compli-conform/noccg_accd-eng.pdf Accessed on 5 April 2020.

*Definitions:

Verification review: A checklist review based on recognition of a prior regulatory decision. Recognition is the routine acceptance of the regulatory decision of another regulator or other

trusted institution. Recognition indicates that evidence of conformity with the regulatory requirements of economy A is sufficient to meet the regulatory requirements of economy B.

Abridged review: An abbreviated review of selected portions of the dossier and the reliance on prior assessment decisions. Reliance is the act whereby a regulatory authority in one jurisdiction may take into account/give significant weight to work performed by another regulator or other trusted institution in reaching its own decision

Full review: A comprehensive review of all components of the dossier. This may or may not be CPP-dependent. This may form part of a reliance or recognition pathway.