Annex

Examples of issues which normally would not be considered as grounds for a 'Potential Serious Risk to Public Health'[1] in accordance with specific requirements according to Directive 2001/83/EC as amended.

Efficacy:

- The absence of an active comparator study versus a specific medicinal product
- The absence of clinical trials in non-target populations, e.g. the elderly, children
- An absence of evidence demonstrating added therapeutic value of the new medicinal products under assessment in comparison to existing medicinal products
- The length of the treatment varies according to national medical practices in the various Member States

Safety:

- The targeted population is too narrow, and should include patients who are allergic or intolerant to medicinal products approved for the same indications
- A Member State requires a special interaction study with a medicinal product that is not usually prescribed or used together with the new medicinal product

Quality:

- A requirement to use alternative analytical methods if the methods proposed in the documentation have demonstrated their suitability
- A requirement to use complementary analytical tests if these tests do not provide any additional results in terms of product safety
- A request for physico-chemical parameters testing for in-use stability data which are not relevant to the pharmaceutical form of the product
- A request to tighten the limits of the active ingredient for the shelf-life specification of the finished product
- The request to tighten the limits of the specification for the active ingredient

Overall risk-benefit:

- For products with well-established medicinal use authorised according to Article 10a of Directive 2001/83/EC as amended, the absence of data from new pre-clinical tests or clinical studies if posology is based on "systematic and documented use" and the safety is based on pharmacovigilance data.
- For homeopathic medicinal products registered according to Articles 14 and 15 of Directive 2001/83/EC, the absence of a therapeutic indications, the lack of documentation on pre-clinical tests and clinical trials
- For traditional herbal medicinal products registered according to Article 16a of Directive 2001/83/EC with indications exclusively appropriate to traditional herbal medicinal products, the lack of documentation on pre-clinical tests and clinical trials
- The isolated fact that the product has a different legal status (prescription only/non-prescription) in another Member State.

[1] mostly based on experience gained in the mutual recognition procedure according to Directive 2001/83/EC 'considered that there were grounds for supposing'

Product Information:

- The claimed indication cannot be granted because this would trigger the need to harmonise Summary of Products Characteristics of other products approved at a national level
- The absence of a contra-indication for a non-target population (e.g. children, the elderly, patients with renal or hepatic insufficiency)
- The absence of contra-indications relevant to other medicinal products of the same class, if the scientific data provided in the documentation justify that the same contraindications do not apply to the medicine under assessment