EUROPEAN COMMISSION
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Health systems, medical products and innovation
Medical products: quality, safety, innovation

EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

EU/EEA Programme for Maintenance of Equivalence in Supervision of Good Manufacturing Practice Compliance of Pharmaceutical Companies

Table of contents:

Title	EU/EEA Programme for Maintenance of Equivalence in Supervision of Good Manufacturing Practice of Pharmaceutical companies.
Date of adoption	May 2023
Date of entry into force	9 months following publication
Supersedes	n/a
Reason for revision	New procedure
Notes	Not applicable
Last publication date:	1 August 2024
Document version	1

EU/EEA Programme for Maintenance of Equivalence in Supervision of Good Manufacturing Practice (GMP) Compliance of Pharmaceutical Companies

1. Introduction

When accessing as a new Member State to the EU/EEA the National Competent Authority for pharmaceutical products in the new Member State is considered equivalent to all other EU/EEA National Competent Authorities (NCA). This is based on the positive conclusion of the assessment carried out by the European Commission during the accession process (equivalence with the acquis communautaire) that also includes assessment of the capacity of the National Competent Authority to adequately implement the EU acquis.
To achieve and maintain equivalent supervision standards national Pharmaceutical Inspectorates have adopted a common quality system framework, as described in the Compilation of Union Procedures on Inspections and Exchange of Information, referred to in Article 3.1 of Directive 2017/1572 and recital (69) of Regulation 2019/6.
Equivalence is also achieved and maintained by harmonised implementation and interpretation of EU legislation and guidelines through the work of the Good Manufacturing and Distribution Practice Inspectors Working Group (GMDP IWG) and the implementation of Union Procedures by each Pharmaceutical inspectorate.
The Joint Audit Programme (JAP) forms an essential part of the quality system adopted by good manufacturing practice (GMP) inspectorates in the European Economic Area (EEA), aiming to ensure consistency of GMP compliance programmes and standards and a harmonised approach throughout EU/EEA.

Generally, the establishment and maintenance of common harmonised standards and procedures in the EU/EEA is achieved through:

- *Implementation of the Compilation of Union Procedures on Inspection and Exchange of Information (Community Procedures)*
- *Participation in the meetings of the Good Manufacturing and Distribution Practice Inspectors Working Group (GMDP IWG)*
- *Implementation of the Union guidelines for good manufacturing practice*
- *Participation in the meetings of the Heads of Medicines Agencies (HMA)*
- *Planning of appropriate and regular training of inspectors*
- *Participation in joint inspections with other EU/EEA inspectorates*
- *Participation in the audits of national competent authority inspectorates (Joint Audit Programme))*
- *Drafting Annual MRA maintenance reports (Annual Reports)*
- *Participation in the Benchmarking of Medicines Agencies (BEMA)*

In order to avoid duplication of effort and promote international harmonisation the EU/EEA maintenance programme should include similar or the same principles as other comparable maintenance programmes, e.g. those existing under MRAs or used by other organisations such as PIC/S. Also, participation in MRA and PIC/S audits using procedures harmonised with the EU/EEA is a useful training tool.

2. Purpose

The primary purpose of the maintenance programme is to safeguard adequate and equivalent standards applied in the supervision of the pharmaceutical companies in order to fulfil the obligations of the EU/EEA member states to

- protect public and animal health

- comply with the rules of the single market as laid down in the Treaty on the Functioning of the European Union and the EEA Agreement, and
- develop and maintain confidence and mutual trust between the EU/EEA national competent authorities as well as competent authorities outside the EU/EEA.

Further, the maintenance programme leads to the creation of a "Maintenance Dossier" (see under Section 6. Maintenance Dossier) for each EU/EEA Pharmaceutical inspectorate which will document its equivalence and contain or reference necessary evidence which can be supplied for information upon reasoned request from EU/EEA bodies (e.g. EC or HMA) and international partners (e.g. MRA partners, international organisations such as PIC/S, WHO and others where there are relevant international agreements in place).

Sharing of non-public information under the provisions of this programme is subject to the explicit consent of the concerned inspectorate and appropriate confidentiality agreements.
The Joint Audit Programme Compliance Group will exercise oversight in the operation of this maintenance programme and report to the GMDP IWG, the Heads of Medicines Agencies (HMA) and the European Commission.

3. Scope

This document outlines the elements needed for the establishment and maintenance of equivalence between EU/EEA Pharmaceutical GMP inspectorates, as regards their capability to exercise adequate supervision of the GMP compliance of pharmaceutical companies to protect public and animal health.

4. Definitions

In order to avoid duplication of definitions and a consequent introduction of inconsistencies only cross-references are provided.

4.1. Quality system: as defined in the Union Procedure "Quality Systems Framework for GMP Inspectorates"

4.2. Pharmaceutical Inspectorate: as defined in the Union Procedure "Quality Systems Framework for GMP Inspectorates"

4.3. *Acquis communautaire* - The *acquis* is the body of common rights and obligations that are binding on all EU countries, as EU Members. It is constantly evolving and comprises:
- the content, principles and political objectives of the Treaties;
- the legislation adopted in application of the treaties and the case law of the Court of Justice of the EU;
- the declarations and resolutions adopted by the EU;
- best practices applied by the EU inspectors' network
- measures relating to the common foreign and security policy;
- measures relating to justice and home affairs;
- international agreements concluded by the EU and those concluded by the EU countries between themselves in the field of the EU's activities.

Applicant countries have to accept the *acquis* and demonstrate that they have adequate administrative capacity to implement the acquis before they can join the EU. Derogations from the *acquis* are granted only in exceptional circumstances and are limited in scope and time. The *acquis* must be incorporated by applicant countries into their national legislation by the date of their accession to the EU as they are obliged to implement it from that date and be able to demonstrate the establishment of a sustainable and adequate Pharmaceutical Inspectorate / National Competent Authority.
(http://eur-lex.europa.eu/summary/glossary/acquis.html)

5. Components of the maintenance programme

The maintenance programme which relies on the Joint Audit Programme (JAP), is built on four pillars:
1. Inclusion in the maintenance programme

2. Periodic re-confirmation of equivalence
3. Periodic training on common standard
4. Exchange of information

5.1. Inclusion in the maintenance programme

Following the positive conclusion of the EU accession process based on the assessment carried out by the European Commission (equivalence with the *acquis communautaire* and capacity to implement the *acquis*), the new Member States will be included in the maintenance and JAP programme (see JAP Procedure point *4.2. Scope*).
The fulfilment of this condition includes the Pharmaceutical inspectorate in the EU/EEA Maintenance Programme.

5.2. Re-confirmation of equivalence

The equivalence in supervision of the pharmaceutical industry should be re-confirmed at regular intervals in line with the JAP Procedure (see JAP Procedure point *4.2. Scope*).

The Inspectorate should regularly participate in GMDP IWG meetings (at least 90% over 5 years) in order to contribute to harmonisation efforts and to maintain a common understanding and interpretation of GMP practices and requirements related to the supervision of the pharmaceutical industry, e.g. as laid down in the Compilation of Union Procedures and relevant EU legislation. In addition, active contribution to the Joint Audit Programme through provision of auditors is expected at least every two years.

5.3. Training on common standards

The NCAs should foresee regular participation of the inspectors to trainings relevant to GMP inspections and GMP specific topics e.g., organised by EU health programmes, national or international bodies such as PIC/S or others.

In addition, contribution to a sustainable EU inspectors' network and a sustainable national Pharmaceutical Inspectorate should be aimed for through regular participation in joint third-country inspections with other EU/EEA authorities. Also, joint inspections with MRA partners, or participation in inspections resulting from PIC/S joint visits or EDQM programmes are possible and considered as supportive training activities. This will further strengthen the capacity of EU/EEA inspectors and JAP auditors to ensure compliance with GMP inspection capability and JAP audit procedures and will contribute to improvement of compliance with the EU pharma acquis and alignment with the EU pharma strategy to safeguard public and animal health. These joint inspections may concern centrally and nationally authorised products or active substances. The EMA will actively promote joint inspections as part of its GMP inspections programme while the EU/EEA pharmaceutical inspectorates shall cooperate with the Agency in line with Article 111 of Directive 2001/83/EC and with each other in line with Article 137 of Regulation 2019/6 and are strongly encouraged to use the EudraGMDP planning module to identify suitable opportunities for joint inspections of third country sites.

5.4. Exchange of information

There should be evidence of active participation in exchange of information as described in the Compilation of Union Procedures including rapid alert notifications, EudraGMDP (e.g. GMP certificates, MIAs, non-compliance reports and inspection planning for third country inspections), product defects or other intelligence pertaining to risks related to the quality/safety/efficacy of medicinal products and active substances. This exchange of information is assessed during JAP audits.

6. Maintenance Dossier

The Pharmaceutical inspectorate shall prepare and maintain a "Maintenance Dossier" covering the elements described under Section 5. Components of the maintenance programme.

It is for each pharmaceutical inspectorate to decide on the format and style of their maintenance dossier, but it must include, or make reference to, the quality system procedures and documents which define and evidence the activities and arrangements of the Inspectorate for maintaining its equivalence in supervision of the pharmaceutical industry. The maintenance dossier should be an integral part of the inspectorate's quality system established in line with the Compilation of Union Procedures.

The Maintenance Dossier should contain the following information (or reference to it in the quality system of the inspectorate):

Maintenance Dossier Template for EU/EEA Pharmaceutical Inspectorates

1. Initial EU pre-accession audit report (where available)
2. MRA Annual reports (at least since the last JAP audit and in line with national archiving policy)
3. Dates of internal audits
4. Audit reports by MRA partners, JAP, BEMA or other external audit programmes, including those of re-audits
5. Evidence of participation to trainings relevant to GMP inspections and any other relevant trainings on new technologies (reference to JAP audit report is sufficient)
6. Evidence of participation to joint inspections with other EU/EEA inspectorates and if applicable MRA, EDQM or PIC/S participating authorities
7. Evidence of participation to GMDP IWG meetings
8. Evidence of information sharing as described in the Compilation of Union Procedures (reference to JAP audit report is sufficient)
9. Evidence of regular data entry into the EudraGMDP (certificates, authorisations, non-compliance reports and inspection plans) (reference to JAP audit report is sufficient)
10. Other related factors (e.g., presence of trained JAP auditors or relevant items arising from BEMA and HMA meetings)
11. Evidence of sustainability of the NCA, i.e. capacity to ensure compliance with GMP inspections procedures and frequency and JAP audit requirements (reference to JAP audit report and if applicable cooperation agreements with other NCAs is sufficient).

The contents of the Maintenance Dossier are subject to the archiving policy of the pharmaceutical inspectorate.

7. Oversight

Senior management of the National Competent Authority, of which the Pharmaceutical inspectorate is part, shall make a formal commitment to the recommended principles embodied in this document by ensuring that the maintenance programme of the Inspectorate is documented and that it is implemented.

The implementation and maintenance of the dossier described under paragraph 6 is within the responsibility of the nominated person(s) responsible for carrying out the quality assurance function as referred to in the Union Procedure „Quality systems framework for GMP inspectorates", point 7.3.

The Joint Audit Programme Compliance Group will exercise Union level oversight over the adherence to the elements of the maintenance programme by the EU/EEA Pharmaceutical inspectorates through regular JAP audits and MRA annual reports.
The JAP Compliance Group will also provide assessment of the equivalence status of a Pharmaceutical Inspectorate if requested by the HMA, GMDP IWG, or the European Commission. Such assessment will be based on the audit history of the Pharmaceutical Inspectorate.

8. Financing

All expenses incurred in connection with the maintenance programme have to be borne by the EU/EEA Member States individually, unless there is a specific budget made available notably through the European Commission's Health Programmes.