

medication error, received or otherwise obtained, as soon as possible, but in no case later than 15 calendar days after receipt by the applicant of the minimum information described under paragraph (c)(1)(iii)(C) of this section (*i.e.*, identifiable reporter and suspect biological product).

(C) *Full data set.* If a full data set is not available for an actual or potential medication error report at the time of initial submission of the report to FDA, the applicant must submit the information required under paragraph (c)(1)(iv) of this section and also submit a 30-day followup report as required by paragraph (c)(2)(vi) of this section.

(vi) *The 30-day followup report.* The applicant must use active query to obtain additional information for any expedited report under paragraphs (c)(2)(i), (c)(2)(iv), and (c)(2)(v) of this section that does not contain a full data set and must submit a followup report to FDA within 30 calendar days after initial submission of the expedited report to FDA by the applicant. If a full data set is still not obtainable, the 30-day followup report must contain the information required under paragraph (c)(1)(iv) of this section. Any new safety information in the 30-day followup report must be highlighted. Any new information received or otherwise obtained after submission of a 30-day followup report must be submitted to FDA as a 15-day followup report under paragraph (c)(2)(vii) of this section.

(vii) *The 15-day followup report.* The applicant must report to FDA any new information, received or otherwise obtained, for any expedited or followup report (except for initial expedited reports under paragraphs (c)(2)(i), (c)(2)(iv), and (c)(2)(v) of this section that do not contain a full data set) within 15 calendar days of initial receipt of the new information by the applicant. Expedited reports under paragraphs (c)(2)(i), (c)(2)(iv), and (c)(2)(v) of this section that do not contain a full data set at the time of initial submission of the report to FDA are subject to the 30-day followup reporting requirements under paragraph (c)(2)(vi) of this section rather than the 15-day followup reporting requirements under this paragraph.

(viii) *Supporting documentation.* (A) If the patient dies, the applicant must submit a copy of the autopsy report to FDA, if it is available. If an autopsy report is not available, the applicant must submit a death certificate to FDA. If an autopsy report becomes available after the applicant has submitted a death certificate to the agency, the autopsy report must be submitted to FDA. If the patient was hospitalized, the

applicant must submit a copy of the hospital discharge summary to FDA, if it is available. If any of these documents is not in English, the document must be accompanied by an English translation. Applicants must use active query to obtain these documents. These documents must be submitted to FDA as 15-day followup reports (see paragraph (c)(2)(vii) of this section) within 15 calendar days of initial receipt of the document by the applicant. If these documents are not submitted to FDA in a 15-day followup report within 3 months after submission of the initial expedited report for the death or hospitalization, the agency will assume that active query by the applicant has not resulted in access to these documents. In this case, a record of the reason(s) for the lack of such documentation and the effort that was made to obtain the documentation must be maintained by the applicant.

(B) Each expedited report must contain in the narrative a list of other relevant documents (*e.g.*, medical records, laboratory results, data from studies) for the report that are maintained by the applicant. When appropriate, FDA may require an applicant to submit copies of one or more of these documents to the agency within 5 calendar days after receipt of the request.

(ix) *Scientific literature.* An expedited report based on information from the scientific literature applies only to reports found in scientific and medical journals. These expedited reports must be accompanied by a copy of the published article.

(x) *Submission of safety reports by contractors and shared manufacturers.*

(A) Contractors and shared manufacturers must submit to the applicant (includes participants involved in divided manufacturing) safety reports of any SARs or medication errors for the applicant's biological product, obtained or otherwise received, within 5 calendar days of initial receipt of the report by the contractor or shared manufacturer. The contractor and shared manufacturer must submit a safety report for an SAR to the applicant even if the report does not contain a minimum data set. Upon receipt of the safety report from a contractor or shared manufacturer, the applicant must comply with the postmarketing safety reporting requirements of this section.

(B) A contract between the applicant and a contractor must specify the postmarketing safety reporting responsibilities of the contractor. The applicant is responsible for ensuring that the contractors and shared

manufacturers of its licensed biological products comply with these postmarketing safety reporting responsibilities.

(C) The contractor and shared manufacturer must maintain a record of each submission to the applicant under paragraph (c)(2)(x)(A) of this section that includes:

- (1) A copy of each safety report;
- (2) The date the report was initially received by the contractor or shared manufacturer;
- (3) The date the report was submitted to the applicant; and
- (4) The name and address of the applicant.

(D) The recordkeeping, written procedures, and disclaimer provisions under paragraphs (f), (g), and (j) of this section apply to contractors and shared manufacturers.

(xi) *Report identification.* Each expedited report submitted to FDA under paragraphs (c)(2)(i) through (c)(2)(vii) of this section must bear prominent identification as to its contents, *e.g.*, "expedited report—serious and unexpected SAR," "expedited report—30-day followup report." Each type of report (*e.g.*, serious and unexpected SAR reports, 30-day followup reports) must be submitted to FDA under separate cover. Reports of medication errors must indicate whether the error is actual or potential and if actual, whether a serious SAR, nonserious SAR, or no SAR occurred, *e.g.*, "expedited report—actual medication error—nonserious SAR," "expedited report—potential medication error."

(3) *Postmarketing periodic safety reports.* The applicant must submit postmarketing periodic safety reports under this section (*i.e.*, TPSRs, PSURs, IPSRs, individual case safety reports—semiannual submission) to FDA within 60 calendar days after the data lock point for the report. The applicant must include a cover letter containing a list of the biologics license application number(s) (*i.e.*, BLA number(s)) for the human biological product(s) covered by the postmarketing periodic safety report. The international birth date for combination products is the international birth date of the human licensed biological product most recently approved for marketing.

(i) *Traditional periodic safety reports (TPSRs).* Each applicant holding a biologics license under § 601.20 of this chapter for a human biological product approved before January 1, 1998, must submit either a PSUR as prescribed under paragraph (c)(3)(ii) of this section or a TPSR as described under this paragraph every 5 years after U.S.