

ROUNDTABLE DISCUSSIONS

Provided on the following pages are compliance questions broken out by major categories such as, disposal, recordkeeping, security, etc. The questions are meant to stimulate discussion in certain areas however, they are not the only topics available for discussion in the roundtable groups.

We will select four major topics for roundtable discussion. There will be a Group Leader and Notes-taker for each discussion group. You can elect to participate in two of them. At the end of the roundtable discussion, the Group Leaders will summarize key points from the Notes-takers on to overhead acetates, which will be presented to the entire group in the general discussion group.

The roundtable discussion is meant to stimulate ideas and brainstorm about new approaches for handling logistics and diversion prevention/ detection. It's also a place where one can talk about examples that worked ... and those that didn't.

COMPLIANCE QUESTIONS

DISPOSAL/ DESTRUCTION

- Generated waste includes pure product, contaminated adhesive/ solvent liquid, and contaminated solid substrates, including paper, polyester liners, packaging materials, personal protective clothing, etc. Are there exemptions relating to the quantity of controlled substances and the degree of contamination?
- What are the DEA requirements - if any - for the accumulation and storage and security of hazardous waste containing controlled substances prior to being shipped off for disposal and destruction? What are the documentation requirements?
- Transporters of hazardous materials must be licensed and permitted. Are there additional DEA requirements for transporters of controlled substances? Do the transporters have to register with DEA and/or meet DEA requirements for handling and recordkeeping?
- Does the transporter assume liability of the shipment while it's in their possession?
- Disposal facilities are permitted to handle several types of waste. Are there approved facilities registered with DEA to handle controlled substances? What requirements are there for registration, recordkeeping, and security for these facilities?
- Is it true that a representative from the firm must witness the physical destruction of waste? If so, what are the DEA requirements? If not, what does DEA require to prove product destruction?
- What documentation controls need to be in place for the accumulation, storage, and security of waste while on site?
- If transporters need to be registered with DEA, are there certain documents that we would need from them?
- Besides the hazardous waste manifest for the shipment, are there other DEA-required documents for the actual destruction?
- Are there DEA notification requirements we must follow during any phase of handling waste from accumulation to destruction?
- Do I need to have separate DEA 41 forms for C_I - C_{II} products vs. C_{III} - C_V? Or can I combine all CS material on to one DEA 41 form?
- Can I destroy CS material on-site by pouring it down the drain or into a chemical treatment pond?

SECURITY

- Does a pre-formulation laboratory need to have a restricted access sign with an alarm system?
- What security measures have to be taken during transport of hazardous waste?
- What are the accepted practices for contractors and vendors for both working on the security system and within the facility (in general)?
- For stability studies with C_{II} material, what type of security is needed for stability chambers? Does Part 1301.75 exempt manufacturers from putting C_{II} material in a safe or a vault? Can I transfer my samples from a manufacturing registration to an analytical registration and store them under less stringent security?

REGISTRATIONS

- Do pre-formulation and pharmaceutical divisions need separate registrations (e.g., researcher vs. manufacturer)?
- How is a controlled substance finished product defined? I run a manufacturing operation where the raw material is a CS, but the finished product is exempt/ excluded. How does one know when the finished product, waste stream, etc. should be considered controlled substances?
- My company just merged with another firm, but the name hasn't changed. Do I need to modify my registration? What about if the name changes?
- What types of registrations would cover clinical trials and development activities?
- My company already has a manufacturing registration. Is there any advantage to getting an analytical registration too?

ARCOS

- When is an ARCOS exclusion proposal required?
- My formulation group (under a manufacturing registration) is playing with all sorts of CS products and putting them on stability. How do I capture these under ARCOS reporting?

PROCEDURES (General Aspects)

- What types of SOPs should be in place?
- We manufacture at least one CS product for market and are working on several more in development. There are a variety of procedures across the GMP vs. development groups and no one person in charge over all of them. I told my senior management this hodgepodge of SOPs is begging for trouble because nothing is transparent about recordkeeping or accountability practices. How do I fix this before DEA comes in?

MANUFACTURING

- Are there requirements for reconciliation of material (e.g., percent lost)? If not, how does one arrive at a number/ percent where - if exceeded - an investigation will begin?
- Is there an acceptable variance when weighing and transferring CS material and if so, what is that variance?
- When a container with a small amount of controlled substance is almost empty, what's an acceptable procedure for closing out that container?
- Is it acceptable to keep actual samples of controlled substances on hand even after the documentation of their receipt has been destroyed? For instance, expensive samples on stability for years may outlast the shipping/ receipt documents that are destroyed after 26 months.
- I'm a GMP auditor and in reviewing some batch records, came across a 20% loss in yield during a tableting operation. Although the records noted the blend was lost to the tablet press (by slipping behind a punch apparatus), the cleaning records of the machine didn't support the accountability records. Now I have a huge difference in yield and unaccounted losses over 15%. What do I do?

RECORDKEEPING

- Should the controlled substance reference standards have a separate logging system than the current non-CS standards?
- How do you count inventory of CS product shipped to another facility for distribution? The distribution is under the same company but in a different state. Does it count as part of the manufacturer's inventory or the distributor's?
- My company has a manufacturing registration and an exporter registration. What types of records should be in place for materials transferred from manufacturing to export?

IMPORT/ EXPORT

- We need to import C_{IV} formulations for process development (R&D). What license/ registration is required: analytical or formulation?
- What are the requirements for import/ export of Listed I & II chemicals in light of the Methamphetamine Control Act of 1996?
- Are there any specific requirements to import intermediates that will be used/ converted into C_{IV} formulations for the US market? The company in the US is registered with DEA to manufacture the finished product.
- What do we do about retention samples sent to a contract lab in another country?
- I applied for an export permit for a C_{II} and got approval, but now the shipper wants to change the route and point of export. What do I do? Can I modify the existing permit or do I need a new one?

IND CLINICAL MATERIALS

- Do we need to put product identity on the label for clinical supplies for overseas studies?
- We shipped IND materials - blinded clinical supplies containing a C_{II} - out to the investigational sites. Per our IND SOPs, we should return all the product to the company for drug accountability purposes. However, only a certain percentage of those products really contain any C_{II} product and without breaking the blind, how do I account for the materials to tally up the CS product? What do I put on my DEA 222 form?

DEA INSPECTIONS/ INTERNAL AUDITS

- What are some actual observations from DEA inspections?
- How many audits per year should we perform? Although audit records may be off limits to DEA, do they care if you don't meet your SOP level of auditing?
- DEA was inspecting my facility (manufacturing) and found material in the cage didn't match the inventory records. I told them that I think the material still in-process and in the warehouse will fill out the amounts, but the ledgers haven't been fully updated yet. They are due to return the next day and my materials management person wants to pull all the existing materials back into the cage before they get here. I don't want to touch anything. What should I do?
- I operate a stability group for a contract analytical company and my off-site facility is considered a warehouse under the analytical registration. However, we get CS materials shipped directly from clients and sometimes we ship directly back to clients when those samples are finished. DEA inspected and said my operation is not considered a warehouse but really has a distribution function. Now they say I need to register separately as a distributor. Who is right?
- DEA stopped by the other day to collect some samples of our marketed product that was recently approved. They didn't have any paperwork. Was it OK to give them the product without question?