Batch testing of medicinal products for market release, sale, and safe use in the EU

The sale of pharmaceutical products in the European Union and the EEA is tightly regulated with several directives and annexes to guarantee the safe usage and efficacy of any therapeutic drug entering these markets. The directives are applicable to the 27 EU member states, as well as to Iceland, Liechtenstein and Norway. Pharmaceutical batches made outside of the EU/EEA must be certified by the local competent authorities of the importing state before being imported.

Legal Background of Batch Certifications in the EU

In 2001, the European Parliament enacted two main directives that require every pharmaceutical drug to undergo full qualitative and quantitative analysis in an EU/EEA state. Therefore, every batch of pharmaceutical drug must be certified by a QP, who performs their job based on the latest industry regulations and whose performance is subject to be overseen by the relevant EU member state

The directive 2001/83/EC establishes batch testing for pharmaceutical products intended for human use, while Directive 2001/82/EC extends this regulation to include medicines of veterinary use. In addition the Directive 2003/94/EC allows contract laboratories that follow the Directive 2001/83/EC to perform batch re-testing services.

While the aforementioned directives require batch re-testing and certification by a QP, they are not specific on the application of these regulations. Annex 16 to the “EU Guide to Good Manufacturing Practice” establishes the requirement for the importer’s QP to certify each pharmaceutical batch before it can be sold in the EU/EEA market.

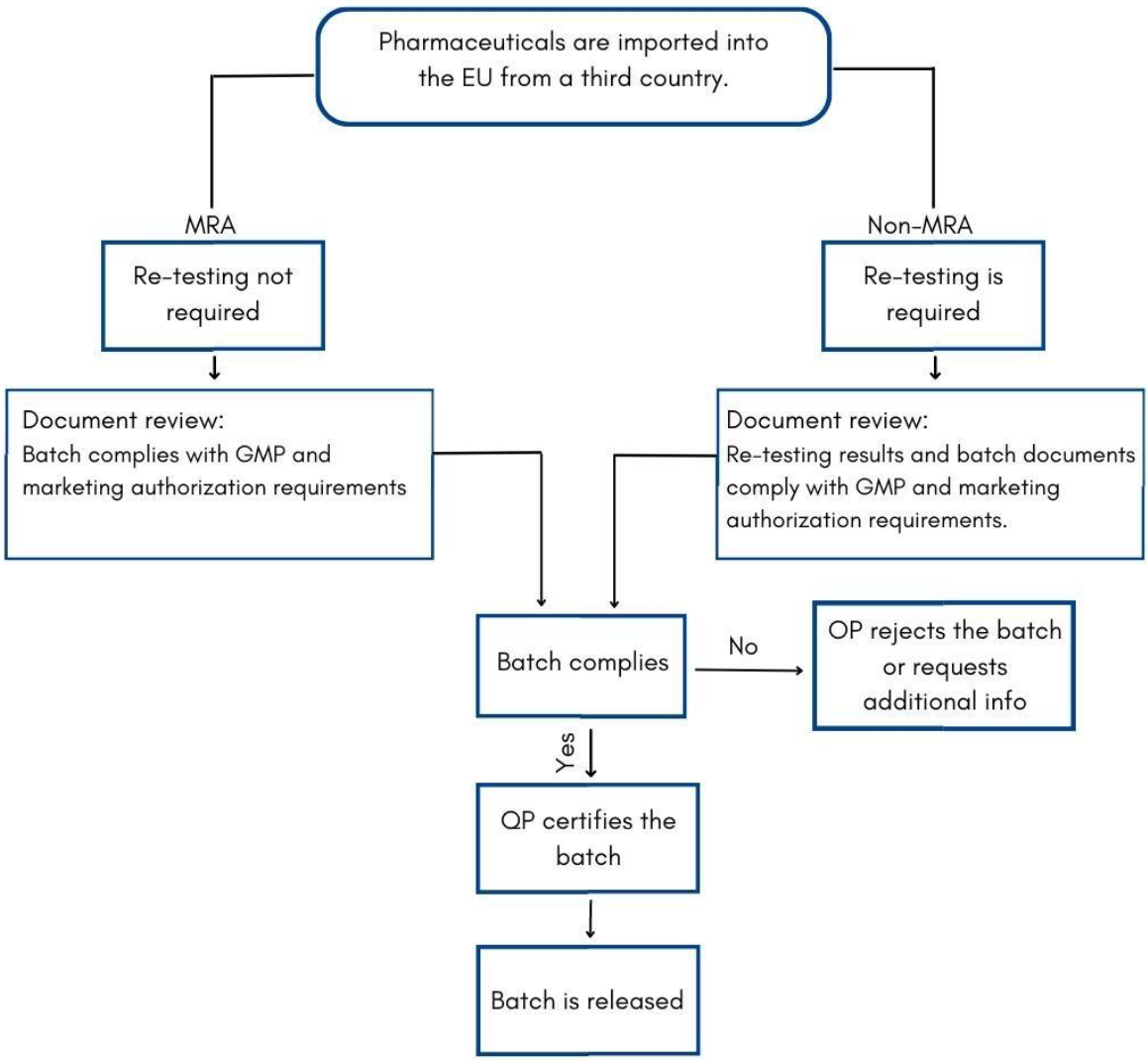
Annex 16 also streamlines the importation of pharmaceuticals, by allowing a QP of a EU/EEA country to accept the certification of a batch analyzed by a QP from another member state of the EU/EEA. Annex 16 requires incoming medicines from non-member states to undergo batch testing, unless the import is from a country that has a Mutual Recognition Agreement (MRA) with the European Union.

In the case of pharmaceuticals imported in separate shipments, quality must be consistent between each shipment or each part of the batch must be re-tested.

Exporting manufacturers must prove that each partial shipment is part of a single batch, that the sample tested is representative of the whole batch, and that each shipment has been made, sent, and stored in the same conditions as the tested sample.

Furthermore, Annex 16 and the two directives previously mentioned request every EC/EEA member country to create local laws requiring the application of these procedures.

Figure 1. Batch Release



What is a Mutual Recognition Agreement (MRA)?

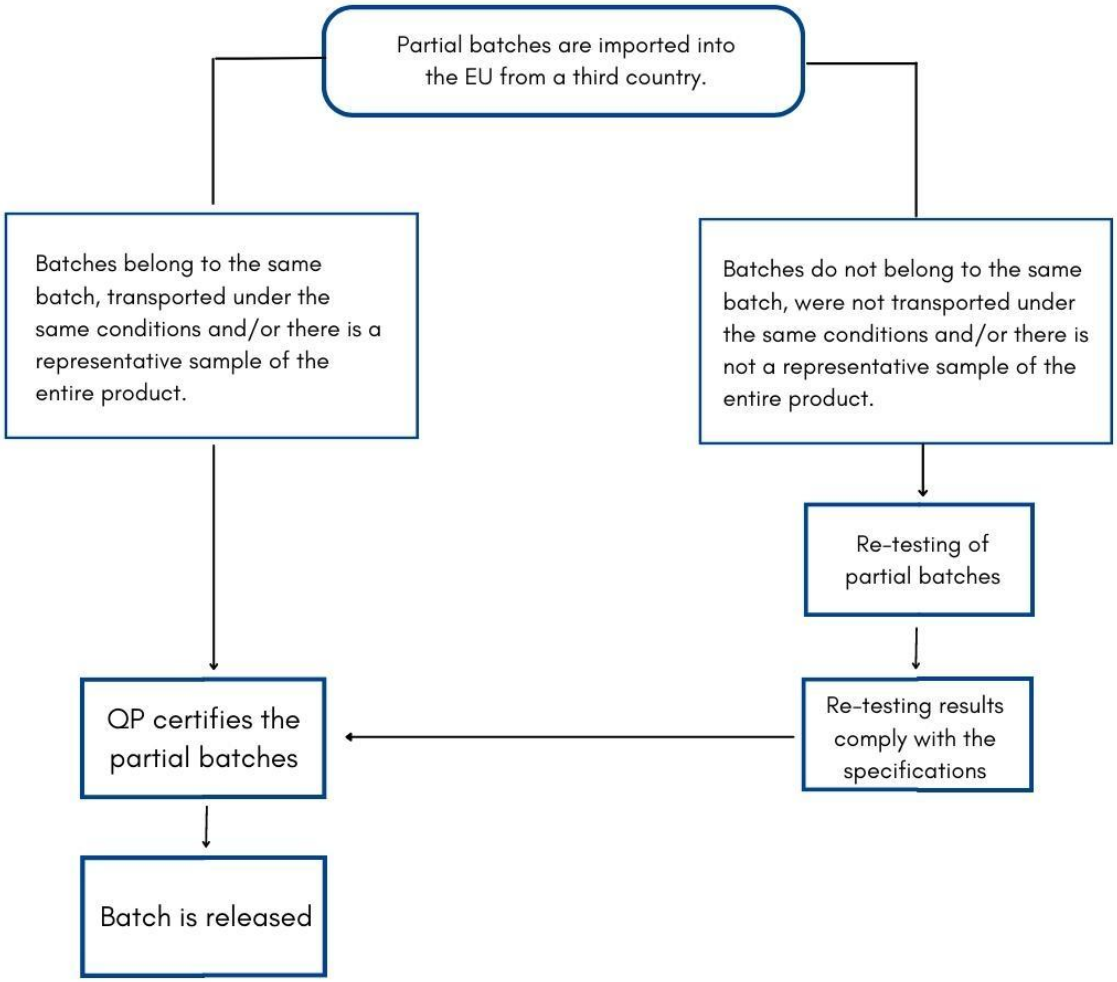
An MRA is an agreement between a member state of the EU and a country that does not belong to the EU/EEA. The MRA specifies the acceptable procedures for manufacturing,

shipping, storage, and quality control of a pharmaceutical drug to be sold in the EU. As of January 2022, the EU has established MRAs with Australia, Canada, Israel, Japan, New Zealand, Switzerland and the United States. All other non-member states outside the EU/EEA that do not have an MRA are known as “third countries”.

If a manufacturer in a third country wants to enter the EU pharmaceutical market, their medicines must undergo batch re-testing (see Fig. 1). This is why MRAs offer many advantages to both the manufacturer and the importing country, mostly in reassuring that the manufacturer follows the Good Manufacturing Practices (GMP) established by the European Union, which guarantees the safe usage and efficacy of imported products.

With an MRA, a manufacturer may skip batch re-testing, thus reducing costs associated with the process and those related to delays in entering the importing country.

Figure 2. Re-Testing Process of a Partial Batch



The Role of Qualified Person (QP) in Batch Re-testing

A QP is a professional dedicated to verify the quality of each pharmaceutical product batch that enters the EC/EEA market to be sold. A QP can certify a whole or partial batch depending on how it meets established guidelines. If there is no MRA between the manufacturing third country and the EU, the QP bases the certification on the batch documentation review and re-testing results. (Fig. 1).

In the case of manufacturers located in countries with an active MRA, the QP may simply accept the manufacturer's confirmation of adherence to GMP processes and skip the re-testing stage. In such cases, each manufacturer must guarantee that every batch is made, shipped, and stored safely in accordance with the current regulations.

Conclusion: The J. Molner Company—our lab—is your best partner to import pharmaceutical drugs in the EU

Non EC/EEA manufacturers who want to export their pharmaceutical drugs to the EU may contract laboratories inside the EU market to handle quality control testing and validation to certify a pharmaceutical product batch and validate its release for sale in the European Union.

The J. Molner Company facilities, located in Tallinn, Estonia, are fully qualified to conduct batch re-testing procedures of sterile injectable products, oral liquids, tablets and topical products. Our laboratory is fully qualified for pharmaceutical testing with batch certification purposes, including analytical chemistry, microbiology, method development and validation. Because of our batch testing expertise, The J. Molner Company is a valuable partner for manufacturers and importers working within the EU and from around the world.

Annex 1. Key terms regarding medicinal batch re-testing

Keyword	Short description	Long definition
EEA	European Economic Area	The economic area comprising the 27 member states, + Iceland, Liechtenstein and Norway.
EMA	European Medicines Agency	Decentralized EU body dedicated to evaluate medicines intended for human use and animal use in the EU .
EU	European Union	Political and economical union with 27 members countries.

Keyword	Short description	Long definition
MA	Marketing Authorization	Specific agreements between an exporting country and an EU importing country for batch release of a pharmaceutical drug
MRA	Mutual Recognition Agreement	An agreement between an EU country and a non-EEA country defining the approval of medicinal products imported into a member state. The EU currently has MRAs with Australia, Canada, Israel, Japan, New Zealand, Switzerland and the United States.
THIRD COUNTRY	Any non-EU/EEA country without an MRA	Third countries are all countries outside the EU/EEA , their pharmaceutical products must undergo batch re-testing and certification in order to enter the EU market.
QP	Qualified Person	Person in charge of certifying the GMP qualification of an incoming medicinal product prior to batch release and sale in the EU