

October 10, 2023

Nicole Gormley
Center for Drug Evaluation and Research
Anne Taylor
Center for Biologics Evaluation and Research
Food and Drug Administration
10903 New Hampshire Ave., Bldg. 51, Rm. 3342
Silver Spring, MD 20993

RE: ACRO comment submission:
*Postmarketing Approaches to Obtain Data on Populations Underrepresented in Clinical Trials for
Drugs and Biological Products*
[FDA-2022-D-2629-0002]

Dear Ms. Gormley and Ms. Taylor,

The Association of Clinical Research Organizations (ACRO) represents the world's leading clinical research and clinical technology organizations. Our member companies provide a wide range of specialized services across the entire spectrum of development for new drugs, biologics and medical devices, from pre-clinical, proof of concept and first-in-human studies through post-approval, pharmacovigilance and health data research. ACRO member companies manage or otherwise support a majority of all biopharmaceutical sponsored clinical investigations worldwide and advance clinical outsourcing to improve the quality, efficiency and safety of biomedical research.

ACRO thanks the Agency for releasing this draft guidance on *Postmarketing Approaches to Obtain Data on Populations Underrepresented in Clinical Trials for Drugs and Biological Products*. ACRO is pleased to provide the following feedback.

General Comments and Recommendations:

ACRO welcomes this guidance to describe FDA requirements and provide recommendations for obtaining safety and effectiveness information on drugs in the postmarketing setting in historically underrepresented patient populations in clinical trials. ACRO and its members continue to be strongly committed to this work and look forward to continuing to work with the Agency in this effort.

ACRO notes the significance of the Sponsors interacting with FDA, on the basis of the diversity plan, to determine appropriate benchmarks for an inclusive and representative data package. This provides a foundation from which a determination can be made of whether a representative population will be recruited and retained. Given the importance of the topic, ACRO would recommend that this is further highlighted in the guidance and also discussed at an earlier point in the guidance.

To avoid delays with getting the PMC/PMR studies underway and ultimately an impact on patients, it will be important for the FDA to provide clear expectations in the guidance to sponsors on the timelines to provide PMC/PMR studies, both in terms of starting the study within a certain timeframe as well as an approximate expectation to complete the study. Accordingly, we suggest that FDA clarify expectations to sponsors in the guidance regarding timelines for PMC/PMR studies.

We also suggest that sponsors provide periodic updates to the FDA on the progress of PMC/PMR studies and recommend FDA clarify expectations to sponsors on providing periodic updates on the progress of PMC/PMR studies.

Line-specific comments:

Lines 88–95: The section states: “Before requiring a postmarketing study or clinical trial under Section 505(o)(3), FDA must find that adverse event reporting under Section 505(k)(1) of the FD&C Act and the active risk identification and analysis (ARIA) system under section 505(k)(3) of the FD&C Act will not be sufficient (1) to assess a known serious risk related to the use of the drug; (2) to assess signals of serious risk related to use of the drug; or (3) to identify an unexpected serious risk when available data indicates the potential for a serious risk. Further, before requiring a postmarketing clinical trial, FDA must find that a postmarketing study or studies will not be sufficient to meet those purposes.”

Concern and Recommended Solution: Lines 88-95 do not specify whether a postmarketing study is required if there is a lack of diversity data submitted by the sponsor and resulting insufficient evidence regarding potential responses and/or risks that may exist for diverse populations related to use of the drug.

We recommend FDA provide further clarification in this section on situations when a postmarketing study may be required if there is lack of data regarding diverse populations. The obligation is clearly set forth in sections III.A. PMRs and III.B. PMCs.

Lines 98-99: The section states: “If the drug is to be granted accelerated approval, FDA has required confirmation of clinical benefit in a confirmatory trial. The confirmatory trial should represent the diversity of patients expected to use the drug in the United States.”

Concern and Recommended Solution: ACRO would like to state our support for FDA’s inclusion of the expectation that a confirmatory trial should represent diversity of patients expected to use the drug in the United States in order to be granted accelerated approval.



ACRO thanks the Agency for this opportunity to comment on this draft guidance on *Postmarketing Approaches to Obtain Data on Populations Underrepresented in Clinical Trials for Drugs and Biological Products*. Please do not hesitate to contact ACRO if we can provide further details or answer any questions (knoonan@acrohealth.org).

Respectfully submitted,

Karen Noonan
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