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Patient Health Protection

Scientific recommendation on classification of advanced therapy medicinal products

Article 17 – Regulation (EC) No 1394/2007

Disclaimer: This document is a summary for public release of a scientific recommendation on classification of advanced therapy medicinal products. The original text adopted by the Committee for Advanced Therapies (CAT) has been redacted to delete commercially confidential information.

The present scientific recommendation refers exclusively to the case as presented to the European Medicines Agency (EMA) without prejudice to future evaluations by the Agency.

This scientific recommendation is not binding and is without prejudice to any decision taken by Member State competent authorities on matters falling within their own remits.

Short descriptor (or name when available) of the proposed active substance

Adipose derived mesenchymal stem cells combined with beta-tricalcium phosphate.

Brief description of the proposed finished product

Adipose tissue derived mesenchymal stem cells expanded *ex vivo* combined with biomaterial beta-tricalcium phosphate

Proposed indication

Treatment of bone defects.

EMA/CAT comment

Consideration of Article 1(2) of Directive 2001/83/EC (definition of medicinal product – see Annex A)

- The product consists of adipose tissue derived mesenchymal stem cells expanded *ex vivo* combined with biomaterial beta-tricalcium phosphate (β-TCP) which can be considered a

7 Westferry Circus • Canary Wharf • London E14 4HB • United Kingdom
Telephone +44 (0)20 7418 8400 **Facsimile** +44 (0)20 7523 7051
E-mail info@ema.europa.eu **Website** www.ema.europa.eu

'substance' in the meaning of the pharmaceutical legislation (in accordance with article 1(3) of Directive 2001/83/EC), administered to humans with a view of restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action.

- The product is presented as having properties for treating disease in human being. The target sites and conditions for the product are major defects in skull and maxilla and mandibular defects of variable size.
- According to Article 1(2), the restoration, correction or modification of the physiological function is to be mediated by the substances that exert "a pharmacological, immunological or metabolic action". As the product consists of adipose tissue derived mesenchymal stem cells expanded *ex vivo* combined with biomaterial β-TCP, it can be agreed that the product acts via pharmacological or metabolic means.

Fulfilment of Article 2(1) of Regulation (EC) No 1394/2007 (definition of advanced therapy medicinal product – see Annex A)

- The product consists of adipose tissue derived mesenchymal stem cells expanded *ex vivo* combined with biomaterial β-TCP. The cells are expanded and are therefore considered to be substantially manipulated.
- The product is presented as a medicinal product having properties for regenerating osteopoiesis and revascularization, i.e. repairing a human tissue.

Based on the above considerations, it is considered that the product falls within the definition of an advanced therapy medicinal product, and more specifically a tissue engineered product according to the definition in Article 2(1)(b) of Regulation (EC) No 1394/2007.

- β-TCP is approved for clinical use according to the requirements set in Directive 93/42/EEC concerning medical devices. β-TCP is an integral part of the ATMP administered to patients.

Based on the above consideration, it can be considered that the product falls within the definition of a combined ATMP as defined in article 2(1)(d) of Regulation 1394/2007/EC.

EMA/CAT conclusion

On the basis that:

- The product consists substantially manipulated cells,
- The product has been presented as having properties for regeneration and repair of a human tissue, and
- Beta-tricalcium phosphate is approved for clinical use according to the requirements set in Directive 93/42/EEC concerning medical devices and is an integral part of the product,

the EMA/CAT considers that the product falls within the definition of a tissue engineered product, combined ATMP, as defined in articles 2(1)(b) and 2(1)(d) of Regulation 1394/2007/EC.