

July 9, 2018

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Office of Regulated Activities
Department of the Army
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Dear Dr. Miller:

This letter is in response to your request that the Food and Drug Administration (FDA) issue an Emergency Use Authorization (EUA) for emergency use of Pathogen-Reduced Leukocyte-Depleted Freeze Dried Plasma manufactured by the Centre de Transfusion Sanguine des Armées (CTSA) (for purposes of this EUA, “French FDP”)¹ for U.S. military forces² for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, pursuant to section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. § 360bbb-3).³

On June 7, 2018, pursuant to section 564(b)(1)(B) of the Act (21 U.S.C. § 360bbb-3(b)(1)(B)), the Deputy Secretary of the Department of Defense (DoD) determined that there is “a military emergency or significant potential for a military emergency, involving a heightened risk to U.S. military forces of an attack with an agent or agents that may cause, or are otherwise associated

¹ On the date of issuance of this EUA, the authorized French FDP product under this EUA refers specifically to French FDP product that is manufactured using French-derived, pathogen-reduced, Leukocyte-Depleted fresh frozen plasma (FFP). As discussed in Section II of this letter, at this time the authorized French FDP product under this EUA does not include French FDP that is manufactured using Department of Defense (DoD)-derived plasma or other U.S.-derived plasma.

² For purposes of this EUA, to meet DoD military needs “U.S. military forces” may include U.S. troops and military members of an allied force or other personnel operating with DoD. Also, for purposes of this EUA, it is anticipated that U.S. military medical personnel trained in the use of French FDP will administer the authorized French FDP to U.S. military forces. However, in the event the operational environment prevents such administration, it is possible that other trained U.S. military forces may need to administer the authorized French FDP during an emergency as set forth in this authorization.

³ At the time of issuance of this EUA, French FDP was approved in at least one country (i.e., France) but not approved in the U.S. This EUA, including its Conditions of Authorization in Section IV, applies only to French FDP product that is manufactured and distributed by Centre de Transfusion Sanguine des Armées (CTSA) and its authorized agent(s) specifically for DoD procurement and further DoD distribution, stockpiling, and use during an emergency as set forth in this authorization.

with an imminently life-threatening and specific risk to those forces.”^{4,5,6} Pursuant to section 564(b)(1) of the Act (21 U.S.C. § 360bbb-3(b)(1)), and on the basis of such determination, on July 9, 2018, the Secretary of the Department of Health and Human Services (HHS) then declared that circumstances exist justifying the authorization of emergency use of FDP for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, subject to the terms of any authorization issued under 21 U.S.C. § 360bbb-3(a).⁷

DoD requested this EUA so that French FDP, which is not FDA-approved, may be distributed and held by DoD for preparedness purposes in advance of an actual threat of agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces, with the intent that it may be administered by U.S. military medical personnel during an event or post-event for the treatment of hemorrhage or coagulopathy caused by exposure to such agents when plasma is not available for use or when the use of plasma is not practical. An EUA is needed to facilitate DoD pre-event planning and preparedness activities related to the use of this unapproved product to enable activities to support rapid administration of treatment during an actual emergency event involving the threat of agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces.

This EUA is important for supporting military emergency response because it enables rapid initiation of treatment with French FDP during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces, without FDA or DoD having to take further action with respect to otherwise applicable requirements under federal law.

Having concluded that the criteria for issuance of this authorization under section 564(c) of the Act (21 U.S.C. § 360bbb-3(c)) are met, I am authorizing the emergency use of French FDP (as described in the Scope of Authorization section of this letter (Section II)) in the specified population for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or

⁴ DoD. *Letter to the HHS Secretary issuing a determination of a military emergency, or significant potential for a military emergency, and requesting a declaration under section 564 of the Federal Food, Drug, and Cosmetic Act.* June 7, 2018.

⁵ As amended by H.R. 4374 (Pub. L. No. 115-92, December 12, 2017), under section 564(b)(1)(B) of the Act, the Secretary of Defense may make a determination that there is a military emergency, or a significant potential for a military emergency, involving a heightened risk to United States military forces, including personnel operating under the authority of title 10 or title 50, of attack with—(i) a biological, chemical, radiological, or nuclear agent or agents; or (ii) an agent or agents that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to United States military forces.

⁶ When the DoD Secretary makes such a determination, the Secretary of Health and Human Services (HHS) shall determine, within 45 calendar days of such determination, whether to make a declaration that circumstances exist to justify EUA issuance and, if appropriate, shall promptly make such a declaration.

⁷ HHS. *Declaration that Circumstances Exist Justifying an Authorization Pursuant to Section 564 of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 360bbb-3(b).* July 9, 2018.

are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces when plasma is not available for use or when the use of plasma is not practical, subject to the terms of this authorization.

This EUA applies in all circumstances when DoD reasonably believes that there is a need to store, distribute, and/or administer the authorized French FDP in an emergency because of U.S. military forces' known, suspected, or likely imminent exposure to agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces.

I. Criteria for Issuance of Authorization

I have concluded that the emergency use of French FDP for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces when plasma is not available for use or when the use of plasma is not practical in the specified population meets the criteria for issuance of an authorization under section 564(c) of the Act, because I have concluded that:

1. An emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) may cause, or otherwise be associated with, an imminently life-threatening and specific risk to U.S. military forces, specifically hemorrhage or coagulopathy when plasma is not available for use or when the use of plasma is not practical, a serious or life-threatening disease or condition to humans exposed to these agents;
2. Based on the totality of scientific evidence available to FDA, it is reasonable to believe that French FDP, when used in accordance with the Scope of Authorization, may be effective for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, and that the known and potential benefits of French FDP for this use outweigh the known and potential risks of such product; and
3. There is no adequate, approved, and available alternative to the emergency use of French FDP for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical.⁸

II. Scope of Authorization

I have concluded, pursuant to section 564(d)(1) of the Act, that the scope of this authorization is limited to the use of the authorized French FDP for U.S. military forces for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the

⁸ No other criteria of issuance have been prescribed by regulation under section 564(c)(4) of the Act.

use of plasma is not practical. The emergency use of the authorized French FDP product under this EUA must be consistent with, and may not exceed, the terms of this letter, including the scope and the conditions of authorization set forth below.

The Authorized French FDP:

I am authorizing the use of French FDP. French FDP is a biologic product to be used for U.S. military forces for treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) that may cause, or are otherwise associated with, an imminently life-threatening and specific risk to U.S. military forces when plasma is not available for use or when the use of plasma is not practical.⁹ DoD may request the authorization of additional sources of plasma (e.g., DoD-derived or other U.S.-derived) for French FDP, which may be authorized by FDA in consultation with, and with concurrence of, the Office of Blood Research and Review (OBRR)/Center for Biologics Evaluation and Research (CBER), the Counterterrorism Office (CT)/Office of the Center Director (OD)/CBER, and the Office of Counterterrorism and Emerging Threats (OCET)/Office of the Chief Scientist (OCS)/Office of the Commissioner (OC).¹⁰

The current formulation of the authorized French FDP is a lyophilized, Leukocyte-Depleted, pathogen-reduced (Intercept-treated), pooled apheresis fresh frozen plasma (FFP) product collected from volunteer donors. The authorized French FDP is a packaged unit, which includes a bottle of freeze dried plasma, 200 mL of water for injection, a transfer set, and an intravenous infusion set specially designed for administration by U.S. military medical personnel. When reconstituted, the volume of the authorized French FDP is equivalent to 210 mL of human plasma. One or more units are infused under the direct care of U.S. military medical personnel; repeat administration may be necessary until evacuation to definitive care is possible. French FDP does not require refrigeration and is supplied in a form compatible with the logistical constraints of a military operational environment.

The authorized French FDP, and any sources of plasma for the manufacture of French FDP that are authorized at a later time under this EUA, are authorized to be distributed by DoD for pre-event storage and further redistribution, if appropriate, and for post-event storage, distribution, and administration, when packaged in the authorized packaging and with the authorized labeling (e.g., carton and container labels, fact sheets, and technical notice and summary of product characteristics).

The authorized French FDP is authorized to be administered without a prescription and by U.S. military medical personnel under this EUA, despite the fact that it does not meet certain requirements otherwise required by federal law.

⁹ DoD treatment and management of hemorrhage or coagulopathy subsequently may include other supportive measures and treatments, including evacuation to definitive care.

¹⁰ On the date of issuance of this EUA, French FDP using DoD-derived or other U.S.-derived plasma was not authorized for use under this EUA. However, DoD may request authorization under this EUA of French FDP using DoD-derived or other U.S.-derived plasma at a later time. If FDA authorizes use of DoD-derived or other U.S.-derived plasma based on a review of the scientific data, communication about such authorization will be posted on FDA's EUA website at the time of amendment of this EUA (e.g., through a memorandum and updated EUA Fact Sheets). <https://www.fda.gov/EmergencyPreparedness/Counterterrorism/ucm182568.htm>.

The authorized French FDP is authorized to be accompanied by the authorized labeling in consultation with FDA and DoD. The authorized French FDP is also authorized to be accompanied by the following information pertaining to the emergency use, which is authorized to be made available to U.S. military medical personnel and U.S. military forces (“recipients”) to facilitate understanding of the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, the risks and benefits of French FDP, and proper administration:

- Fact Sheet for U.S. Military Medical Personnel
- Fact Sheet for Recipients

Other Fact Sheets developed by DoD in consultation with, and with concurrence of, OBRR/CBER, CT/OD/CBER, and OCET/OCS/OC may be authorized to accompany the above described French FDP and to be made available to U.S. military medical personnel and U.S. military forces, as appropriate.

As described in Section IV below, DoD is also authorized to make available additional information relating to the emergency use of the authorized French FDP that is reasonably consistent with, and does not exceed, the terms of this letter of authorization.

Authorized French FDP is authorized to have its manufacturer labeled expiry dating extended by OBRR/CBER, CT/OD/CBER, and OCET/OCS/OC based on scientific data supporting such an extension.

I have concluded, pursuant to section 564(d)(2) of the Act, that it is reasonable to believe that the known and potential benefits of the authorized French FDP in the specified population, when used for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, when used consistently with the Scope of Authorization of this letter (Section II), outweigh the known and potential risks of such a product.

I have concluded, pursuant to section 564(d)(3) of the Act, based on the totality of scientific evidence available to FDA, that it is reasonable to believe that the authorized French FDP may be effective in the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, when used consistently with the Scope of Authorization of this letter (Section II), pursuant to section 564(c)(2)(A) of the Act.

FDA has reviewed the scientific information available to FDA, including the information supporting the conclusions described in Section I above, and concludes that the authorized French FDP, when used for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when

plasma is not available for use or when the use of plasma is not practical in the specified population (as described in the Scope of Authorization of this letter (Section II)), meets the criteria set forth in section 564(c) of the Act concerning safety and potential effectiveness.

The emergency use of the authorized French FDP product under this EUA must be consistent with, and may not exceed, the terms of this letter, including the Scope of Authorization (Section II) and the Conditions of Authorization (Section IV). Subject to the terms of this EUA and under the circumstances set forth in the Deputy Secretary of Defense's determination described above and the Secretary of HHS's corresponding declaration under section 564(b)(1), the French FDP described above is authorized for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical in the specified population.

This EUA will cease to be effective when the HHS declaration that circumstances exist to justify the EUA is terminated under section 564(b)(2) of the Act or when the EUA is revoked under section 564(g) of the Act.

III. Waiver of Certain Requirements

This letter authorizes use of French FDP previously manufactured by CTSA under U.S. Government contract as of the date of this letter, as well as authorized French FDP that may be manufactured by CTSA under U.S. Government contract after such date.

The authorized French FDP should be held in accordance with the manufacturer's labeled and appropriate product storage conditions for the product (i.e., when possible, at temperatures between 2°C (36°F) and 8°C (46°F), with excursions permitted to 25°C (77°F), protected from light). However, to ensure the delivery and availability of the authorized French FDP during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical and when there is a decision on the part of DoD to distribute and administer the product under the terms of this EUA, the authorized French FDP may require transportation and/or temporary storage for rapid administration without the capacity to maintain labeled storage conditions in the midst of the response. Significant excursions from the labeled storage conditions should be documented to the extent practicable given the circumstances of an emergency.

IV. Conditions of Authorization

Pursuant to section 564 of the Act, I am establishing the following conditions on this authorization:

DoD

- A. DoD will distribute the authorized French FDP under its direction to the extent such decisions are consistent with and do not exceed the terms of this letter, including distribution with the authorized labeling.

- B. Through a process of inventory control, DoD will maintain records regarding distribution under its direction of the authorized French FDP (i.e., lot numbers, quantity, receiving site, receipt date).
- C. DoD will ensure that the terms of this EUA are made available to applicable DoD components through applicable DoD communication channels and procedures.¹¹ DoD will provide applicable DoD components a copy of this letter of authorization, and communicate to applicable DoD components any subsequent amendments that might be made to this letter of authorization and its authorized accompanying materials (e.g., Fact Sheets).
- D. DoD will inform applicable DoD components that the authorized French FDP may be used only for U.S. military forces for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical.
- E. DoD will be responsible for authorizing components acting as part of a DoD response to administer the authorized French FDP in accordance with the terms of this EUA, including instructing such components about the terms of this EUA with regard to pre-event storage and distribution and post-event storage, distribution, and administration, and for instructing them about the means through which they are to obtain and use the authorized French FDP.
- F. DoD will train applicable DoD components and/or personnel on the use of the authorized French FDP in accordance with this EUA and any applicable DoD procedures or protocols.
- G. DoD will make available to applicable DoD components through applicable DoD communication channels and procedures the authorized Fact Sheet for U.S. Military Medical Personnel, the authorized Fact Sheet for Recipients, and any other Fact Sheets that FDA may authorize, as well as any authorized amendments thereto.¹² U.S. military forces administering the authorized French FDP will ensure that the authorized Fact Sheet for Recipients has been made available to U.S. military forces that receive French FDP through appropriate means, to the extent feasible given the emergency circumstances. Under exigent circumstances, other appropriate means for disseminating these Fact Sheets may be used.¹³
- H. DoD may request changes to the authorized Fact Sheet for U.S. Military Medical

¹¹ For example, through pre-deployment training, hard copy, web posting, etc.

¹² For example, through pre-deployment training, hard copy, web posting, etc.

¹³ FDA recognizes that the complex environment in which French FDP may be used may prevent dissemination of Fact Sheets at the time of use of the French FDP. Therefore, “other appropriate means” may include activities such as DoD components sharing the Fact Sheet for Recipients with U.S. military forces in pre-deployment or other training.

Personnel and the authorized Fact Sheet for Recipients and may request the development of additional Fact Sheets. Such requests will be made by DoD in consultation with, and require concurrence of, OBRR/CBER, CT/OD/CBER, and OCET/OCS/OC.

- I. DoD is authorized to issue additional recommendations and instructions related to the emergency use of the authorized French FDP as described in this letter of authorization, to the extent that additional recommendations and instructions are necessary to meet military needs during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical when they are reasonably consistent with the authorized emergency use of the product.
- J. DoD may request changes to the authorized labeling (e.g., carton and container labels, label on each packaged unit, technical notice and summary of product characteristics) and authorized packaging for the authorized French FDP, or to the manufacturing, labeling, and packaging processes of CTSA or its authorized agent(s) for the authorized product. Such requests will be made by DoD in consultation with, and require concurrence of, OBRR/CBER, OD/CT/CBER, and OCET/OCS/OC.
- K. DoD may request the authorization of additional sources of plasma (e.g., DoD-derived or other U.S.-derived) of the authorized French FDP under this EUA. Such requests will be made by DoD in consultation with, and require concurrence of, OBRR/CBER, OD/CT/CBER, and OCET/OCS/OC.
- L. DoD will inform applicable DoD components about the need to have a process in place for performing adverse event monitoring and compliance activities designed to ensure that adverse events and all medication errors associated with the use of the authorized French FDP are reported to FDA, to the extent practicable given emergency circumstances, as follows: complete the MedWatch FDA Form 3500 online at www.fda.gov/medwatch, by using a postage-paid MedWatch Form 3500 (available at <https://www.accessdata.fda.gov/scripts/medwatch/index.cfm?action=reporting.home>), or by calling 1-800-FDA-1088. Submitted reports should state that French FDP was used under an EUA. DoD will conduct any follow-up requested by FDA regarding adverse events, to the extent feasible given the emergency circumstances.
- M. DoD will ensure that the authorized French FDP is distributed for use under its direction within the expiry dating on the manufacturer's labeling. If FDA authorizes any expiry dating extensions of the authorized French FDP under this EUA, DoD will inform applicable DoD components holding and/or receiving the authorized French FDP of such extensions and any conditions related to such extensions under this EUA. DoD will maintain adequate records regarding the expiry dates by which authorized French FDP may be used.
- N. DoD will inform CTSA about this EUA and its Conditions of Authorization, including the Conditions Related to Descriptive Printed Material outlined below.

- O. DoD will ensure that any records associated with the use of this product under this EUA are maintained, to the extent feasible given the emergency circumstances, until notified by FDA. Such records will be made available to FDA for inspection upon request.
- P. DoD will facilitate FDA inspections of the French FDP manufacturing facility in the future at a mutually agreeable date.
- Q. DoD will post on its website the following statement: “For information about the FDA-authorized emergency use of the Freeze Dried Plasma manufactured by the Centre de Transfusion Sanguine des Armées (French FDP), please see: <https://www.fda.gov/EmergencyPreparedness/Counterterrorism/ucm182568.htm>.”
- R. DoD will promptly notify FDA of any suspected or confirmed quality, manufacturing, distribution, and/or other issues with the authorized French FDP of which it becomes aware.
- S. Upon request by FDA, DoD will make available any records maintained in connection with this letter.

Conditions Related to Descriptive Printed Material

- T. All descriptive printed matter relating to the use of the authorized French FDP shall be consistent with the Fact Sheets, as well as the terms set forth in this EUA and the applicable requirements set forth in the Act and FDA regulations.
- U. All descriptive printed matter relating to the use of the authorized French FDP shall clearly and conspicuously state that:
 - This product has not been FDA approved or cleared;
 - This product has been authorized by FDA under an EUA for use by DoD;
 - This product has been authorized only for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical; and
 - This product is only authorized for the duration of the declaration that circumstances exist justifying the authorization of the emergency use of FDP for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical, under section 564(b)(1) of the Act, 21 U.S.C. § 360bbb-3(b)(1), unless the authorization is terminated or revoked sooner.

No descriptive printed matter relating to the use of the authorized French FDP may represent or suggest that this product is safe or effective for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical.

The emergency use of the authorized French FDP as described in this letter of authorization must comply with the conditions and all other terms of this authorization.

V. Duration of Authorization

This EUA will be effective until the declaration that circumstances exist justifying the authorization of the emergency use of FDP for the treatment of hemorrhage or coagulopathy during an emergency involving agents of military combat (e.g., firearms, projectiles, and explosive devices) when plasma is not available for use or when the use of plasma is not practical is terminated under section 564(b)(2) of the Act or the EUA is revoked under section 564(g) of the Act.

Sincerely,

--/S/--

Rachel E. Sherman, M.D., M.P.H.
Principal Deputy Commissioner of Food and Drugs

Enclosures