TIP Sheet  SPONSOR-INVESTIGATOR WITHDRAWAL OF IND

Tip #1: What do I need to consider?

- The FDA allows a sponsor-investigator to withdraw an IND ‘without prejudice”, in other words, they won’t hold it against you. Withdrawing an IND means there will be no further activity, no studies, no data collection, nothing. It is possible to have the FDA withdraw the IND or you, as sponsor-investigator withdraw the IND, this typically happens if there has been no activity for a year or more. Once inactive for 5 years, FDA may terminate an IND.
- FDA may inactivate an IND if no subjects are entered into clinical studies for 2 years or more. Sponsor-investigators of inactive INDs are not required to submit an annual report to FDA; however, the IND still in effect for purposes of public disclosure of information and data under 21 CFR 312.130.
- In general, inactive INDs cannot be cross-referenced. Reactivation may occur with submission of a new protocol, updated manufacturing information, etc. Reactivation of an inactive IND is subject to the 30 day review clock.
- Sponsor-investigators of gene therapy trials should inactivate rather than withdraw their INDs due to requirements for long-term patient follow up.
- FDA does not recommend that sponsors submit information to withdrawn files because submissions to withdrawn INDs are not tracked by the FDA’s Document Control Center or Regulatory Project Managers.

### IND Application Status

<table>
<thead>
<tr>
<th>IND Status</th>
<th>Description</th>
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<tbody>
<tr>
<td>Active (ongoing)</td>
<td>An IND application is in effect and the investigations are ongoing.</td>
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<tr>
<td>On Hold</td>
<td>An active IND application where some or all of the investigations are on Clinical Hold.</td>
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<tr>
<td>Inactive</td>
<td>An IND application may be inactivated upon the IND applicant’s request or FDA’s request. Reactivation of the IND application may occur if, for example, no subjects entered clinical trial(s) for 2 years or longer, or the IND application is on hold for 1 year or longer. An inactive application may be re-activated if activities under the IND application have restarted.</td>
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<tr>
<td>Withdrawn</td>
<td>An IND application may be withdrawn by the applicant if development of the investigational product has been abandoned for any reason.</td>
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<tr>
<td>Terminated</td>
<td>An IND application may be terminated by FDA if, for example, (1) human subjects are exposed to unreasonable or significant risk, or (2) methods, facilities and controls used for the manufacturing are inadequate to establish and maintain appropriate standards for quality and purity as needed for subject safety. Additional information on the grounds for termination of an IND application may be found in 21 CFR 312.44.</td>
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Tip #2: Do I need to submit a Final Report?

- Although not formally required by the regulations, the FDA may ask a sponsor-investigator to submit any outstanding information (including publications) not already included in annual reports or other IND submissions before withdrawing the IND. Otherwise, the Code of Federal Regulations does not require submission of final clinical study reports to FDA.

Tip #3: What forms are required for an IND submission and where can I find instructions for them?

- FDA form 1571 – the Investigational New Drug Application form

Tip #4: What other documentation need to be submitted to the FDA?

- Cover letter (CRSC template)
### Tip #5: How does the IND package need to be submitted?
- Until further notice from the Office of Regulatory Compliance, all submissions need to be submitted to the FDA as hardcopies.

### Tip #6: How to I label the outside of the three binders:
- Label the outside using Times New Roman or Courier (18 point), with the following information:
  - WITHDRAWAL OF IND
  - Name of product: _______________________________
  - IND number: _________________________________
  - Sponsor-Investigator Name: _____________________
Tip #7: What is the current mailing address?

For a Drug (CDER):
Food and Drug Administration
Center for Drug Evaluation and Research
Central Document Room
5901-B Ammendale Road
Beltsville, MD 20705-1266

For a Therapeutic Biological Product* (CDER):
Food and Drug Administration
Center for Drug Evaluation and Research
Therapeutic Biological Products Document Room
5901-B Ammendale Road
Beltsville, MD 20705-1266

*The therapeutic biological products now under CDER’s review include:

- Monoclonal antibodies for in-vivo use
- Cytokines, growth factors, enzymes, immunomodulators; and thrombolytics
- Proteins intended for therapeutic use that are extracted from animals or microorganisms, including recombinant versions of these products (except clotting factors)
- Other non-vaccine therapeutic immunotherapies

For a Vaccine, Blood or Biologics Product (CBER):
Food and Drug Administration
Center for Biologics Evaluation and Research
HFM-99, Room 200N
1401 Rockville Pike
Rockville, MD 20852-1448

Tip #8: Additional Information

- Have a naive reader proofread your submission
- Print area for all pages should fit on 8.5” by 11” paper
- Allow margin of at least 1 “on the left side of page (to avoid obscuring information when the pages are subsequently printed and bound) and 3/8” on the other sides.
- For pages in landscape orientation, allow ¾” at the top to allow more information to be displayed legibly on the page.
- Header and footer information can appear within these margins as long as it is not within 3/8” of the edge (to avoid text is lost when pages are subsequently printed and bound)
- Use one of these fonts: Times New Roman or Courier (11 point)
- The complete IND submission package to the FDA should:
  - Be in triplicate to the FDA (1 original and 2 copies)
  - Using single sided copies
  - CDER: Have triplicates hole-punched and collated in 3 separate binders: red, orange and green
  - CBER: Have triplicates hole-punched and collated in 3 separate binders: grey, red, any other color
  - Have individual forms and documents in your submission marked with tabs (not colored paper)
- Make and keep one additional copy for your own records, as well as additional copies for other parties if needed (e.g. outside funding entity or company providing the investigational drug for the study), and scan a copy of the entire package to the Clinical Research Support Center.

Tip #9: For more information, go to:
or call the Clinical Research Support Center at (303) 724-1111

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