

Small Business Guide to FDA

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INTRODUCTION

The Food and Drug Administration (FDA) recognizes that dealing with a large organization can frequently be a time consuming, frustrating experience. Although there is no acceptable panacea, FDA has instituted a number of activities aimed at easing this problem for regulated small businesses. These include the establishment of the Division of Small Manufacturers, International and Consumer Assistance (DSMICA) in the Center for Devices and Radiological Health, Small Business Assistance Programs in FDA field offices, and the creation of small business assistance offices in each of the Centers. These units provide technical assistance to small companies, hold exchange meetings to hear the views and perspectives of small businesses, conduct educational workshops, develop informational materials, and provide an accessible, efficient channel through which small businesses can acquire information from the FDA. The primary purpose of these activities is to increase our communication with the small business community. This, in turn, opens the door for improved understanding and a better working relationship. Because FDA regulates a wide range of products - from aspirin to x-ray equipment - we could not tailor this document to exactly fit everyone's operation. Instead, we have compiled some basic yet important information about FDA that, when put to use, will facilitate your interactions with the Agency. If you want to know about FDA's organization, procedures, policies, and regulations, we suggest that you keep this document handy. It contains a lot of good information for firms like yours.

THE FEDERAL REGISTER - WHAT IT IS AND HOW TO USE IT

The Federal Register is one of the most important sources for information on what FDA -- or for that matter, what any government agency is doing. Published daily, Monday through Friday except for federal holidays, the Federal Register carries all proposed and finalized regulations and many significant legal notices issued by the various agencies, as well as presidential proclamations and executive orders. Subscriptions to the Federal Register can be purchased from the Superintendent of Documents. For price and order information, call 866-512-1800 or 202-512-1800. As an alternative, copies can usually be found in local libraries, county courthouses, federal buildings or on the Internet at <http://www.gpoaccess.gov/fr/>. The following are examples of how the Federal Register can be used to keep informed of FDA issues and activities:

ADVANCE NOTICE - Often, FDA will publish "Notices of Intent" in the Federal Register to give you the earliest possible opportunity to participate in its decisions. These notices inform you that FDA is considering an issue and that your views are welcome before a formal proposal is made. You can comment on these notices.

PROPOSED REGULATIONS - When a formal proposal is developed, FDA publishes a "Notice of Proposed Rulemaking" in the Federal Register. The notice gives the timeframe in which you have to submit written comments about the proposed action. If you do not feel you have enough time to study the proposal and comment on it, you can submit a written request that Agency officials extend the comment period. If FDA extends the period, a notice of the extension is published in the Federal Register. Occasionally, a second or third proposal is published in the Federal Register because of the nature of the comments received. Each time a proposal is substantively revised or amended, a notice is published in the Federal Register.

FINAL REGULATIONS - Ultimately, a "Final Rule" is published, and the rule specifies the date when the new regulatory requirements or regulations become effective. These final rules include the preamble of the regulation, an important first advisory opinion on the new rule where comments received during the comment period are addressed by FDA giving the rationale of the final rule.

REGULATORY AGENDA - Twice a year -- in April and October - FDA, along with the entire Department of Health and Human Services, publishes an agenda in the Federal Register that summarizes policy-significant regulations, regulations that are likely to have a significant economic impact on small entities, and other actions under development. This agenda will help you identify actions of interest early to plan your participation. Each item listed includes the name, address and telephone number of an Agency official to contact if you need more information.

MEETINGS AND HEARINGS - Notices are published in the Federal Register announcing all meetings of the Agency's advisory committees (see public hearings) and all public meetings that provide an information exchange between FDA and industry, health professionals, consumers, and the scientific and medical communities. The notice contains the date, time and place of the meeting, as well as its agenda. The Federal Register also announces administrative hearings before the Agency and public hearings to gain citizen input into Agency activities (see citizen petition). Information about meetings of advisory committees is also available by calling 1-800-741-8138.

HOW TO COMMENT ON PROPOSED REGULATIONS

Before you comment on regulations proposed by FDA, you may obtain more information about a proposal by contacting the person designated in the Federal Register statement. A Comprehensive list of proposed regulations open for comment from all federal agencies may be viewed at <http://www.regulations.gov/>. At this website you may enter and directly send your comments on any proposed regulation. Whether you agree or disagree with the proposed regulations, you will want to communicate your comments in the most effective way possible. The following points will help you do this:

- Give the title, date of publication, and docket number for the proposal (if not commenting electronically at <http://www.regulations.gov/>).
- State who you are and how the proposal affects you. (Economic costs and supporting data are more compelling than generalities.)
- Give supporting statements for your position and present new data and scientific findings, if possible.
- Whether you agree or disagree, you may suggest alternatives to the proposal or to requirements that are part of the proposal.
- The more substantive your comments, the more weight they will carry. The same thing is true for petitions (see petition content and format). When FDA considers comments from the public, it's not a simple matter of counting up "for" or "against" options.
- If sending your comments on proposed regulations via regular mail, please address to Division of Dockets Management, Food and Drug Administration, 5630 Fishers Lane, Room 1061, HFA-305, Rockville, MD 20852, fax 301-827-6870, phone 301-827-6860.

HOW TO OBTAIN AGENCY DOCUMENTS

How to Make a FOIA Request

(<http://www.fda.gov/RegulatoryInformation/FOI/HowtoMakeaFOIARequest/>)

Obtaining Public Information

Certain documents that are prepared for public distribution--such as press releases, consumer publications, speeches, and congressional testimony--are available from FDA without having to file a Freedom of Information Act (FOIA) request. Many of these documents are available on FDA's Internet site (www.fda.gov). We encourage you to browse the site for documents you want to look at. Public information may also be obtained by contacting the appropriate FDA information officer.

Obtaining Information Through FOIA

FOIA allows anyone to request copies of records not normally prepared for public distribution. FOIA pertains to existing records only and does not require agencies to create new records to comply with a request. It also does not require agencies to collect information they do not have or to do research or analyze data for a requestor. In addition, FOIA requests must be specific enough to permit an FDA employee who is familiar with the subject matter to locate records in a reasonable period of time. Under FOIA, certain records may be withheld in whole or in part from the requestor if they fall within FOIA exemptions.

HOW TO OBTAIN FDA STATUTES AND REGULATIONS

The Federal Food, Drug, and Cosmetic Act, as Amended, sections of the Public Health Service Act pertaining to biological products, the Radiation Control for Health and Education Act, the Safe Medical Devices Act, the Mammography Quality Standards Act, the Fair Packaging and Labeling Act, the Infant Formula Act, the Nutrition Labeling and Education Act, and the Dietary Supplement Health and Education Act are among the statutes enforced by the FDA. They are compiled in one booklet, "Federal Food, Drug, and Cosmetic Act as Amended and Related Laws," which is available from the Superintendent of Documents. The regulations over which FDA has jurisdiction are codified under Title 21, Code of Federal Regulations (CFR). These are updated on April 1 of each year and are available for sale approximately four months later. Nine volumes are applicable to FDA and may be purchased singly or as a set from the Superintendent of Documents. These regulations are accessible on the Internet at <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>. Title 21, Food and Drugs, is also available at the FDA web site at <http://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm>. The contents of each volume are listed below:

- Parts 1 to 99. General regulations for the enforcement of the Federal Food, Drug, and Cosmetic Act and the Fair Packaging and Labeling Act. Color additives.
- Parts 100 to 169. Food standards, good manufacturing practice for foods, low-acid canned foods, acidified foods, and food labeling.
- Parts 170 to 199. Food additives.
- Parts 200 to 299. General regulations for drugs.
- Parts 300 to 499. Drugs for human use.
- Parts 500 to 599. Animal drugs, feeds, and related products.
- Parts 600 to 799. Biologics and cosmetics.
- Parts 800 to 1299. Medical devices and radiological health. Regulations under the Federal Import Milk Act, the Federal Tea Importation Act, the Federal Caustic Poison Act, and for control of communicable diseases and interstate conveyance sanitation.
- Parts 1300 through end. Drug Enforcement Administration regulations and requirements.

HOW TO PETITION THE FDA

Anyone may request or petition FDA to change or create an Agency policy or regulation under 21 CFR Part 10.30. If you believe this type of action is necessary, direct your request to FDA's Dockets Management Branch <http://www.fda.gov/ohrms/dockets/>. When submitting a petition, keep these points in mind:

- Clearly state what problem you think the Agency needs to address.
- Propose specifically what the Agency's action should be. Your proposal should be based on sound, supportable facts.
- Submit the petition, an original and three (3) copies, unless otherwise stipulated in the Federal Register announcement, to:

Division of Dockets Management
Food and Drug Administration
5630 Fishers Lane
Room 1061, HFA-305
Rockville, MD 20852
Fax 301-827-6870
Phone 301-827-6860

FDA carefully considers every petition and must respond within 180 days by either approving or denying it (in whole or in part), or providing a tentative response indicating why FDA has been unable to reach a decision. All petitions will be subject to public examination and copying as governed by the rules in 21 CFR 10.20(j). If FDA approves the petition, it may be published in the Federal Register. Your petition could eventually be incorporated into Agency policy. An example showing how to prepare a citizen's petition follows:

Petition Content and Format

(Date) _____

Division of Dockets Management
Food and Drug Administration
5630 Fishers Lane
Room 1061, HFA-305
Rockville, MD 20852.

CITIZEN PETITION

The undersigned submits this petition under _____ (relevant statutory sections, if known) of the _____ Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, or any other statutory provision for which authority has been delegated to the Commissioner of Food and Drugs (under 21 CFR, Part 5.10) to request the Commissioner of Food and Drugs to _____ (issue, amend, or revoke a regulation or order to take or refrain from taking any other form of administrative action).

A. ACTION REQUESTED

1. If the petition requests the Commissioner to issue, amend or revoke a regulation, give the exact wording of the existing regulation (if any) and the proposed regulation or amendment requested.

2. If the petition requests the Commissioner to issue, amend or revoke an order, include a copy of the exact wording of the citation to the existing order (if any) and the exact wording requested for the proposed order.
3. If the petition requests the Commissioner to take or refrain from taking any other form of administrative action, state the specific action or relief requested.

B. STATEMENT OF GROUNDS

A full statement, in a well organized format, of the factual and legal grounds on which the petitioner relies, including all relevant information and views on which the petitioner relies, as well as representative information known to the petitioner which is unfavorable to the petitioner's position.

C. ENVIRONMENTAL IMPACT STATEMENT

Give an environmental impact analysis report in the manner specified in 21 CFR 25.42. (Claim for categorical exclusion under 21 CFR 25.30, 25.31, 25.32, 25.33, or 25.34 or an environmental assessment under Sec. 25.40 of this chapter.)

D. ECONOMIC IMPACT STATEMENT

The following information is to be submitted only when requested by the Commissioner following review of the petition: a statement of the effect of the requested action on 1) cost (and price) increases to industry, government, and consumers; 2) productivity of wage earners, businesses, or government; 3) competition; 4) supplies of important materials, products, or services; 5) employment; and 6) energy supply or demand.

E. CERTIFICATION

The undersigned certifies that, to the best knowledge and belief of the undersigned, this petition includes all information and views on which the petition relies, and that it includes representative data and information known to the petitioner which are unfavorable to the petition.

(Signature)

Name of Petitioner

(Mailing Address)

(Phone)

HOW TO PARTICIPATE IN AGENCY DECISION-MAKING

In addition to commenting on Federal Register documents and petitioning the Agency, there are a number of ways that can interact with FDA to make your viewpoint known. Here are a few examples:

Public Meetings or Conferences

FDA uses public meetings and conferences to discuss significant issues with the public. The Agency may schedule public meetings, sometimes referred to as "exchange meetings," before developing a proposal, or after proposing a program change. The meetings offer a chance for you and FDA managers to discuss issues informally before the rulemaking process begins. FDA announces meetings in the Federal Register and trade publications.

Industry Information/Education Meetings

Many meetings and workshops are conducted in which key representatives from industry, government, academia, and professional, consumer, ethnic, and patient groups discuss subjects of vital concern to industry and the FDA.

Public Hearings

A hearing is an opportunity for you to take part in a rule-making proceeding. FDA always announces hearings in the Federal Register and usually in other publications (e.g., industry newsletters) related to the topic of the hearing. Depending on the subject of the hearing, you can testify on specific issues that are included in an Agency proposal, or you can present your views about general issues on Agency programs. At all hearings, your testimony, whether it is presented orally or in writing, will become part of an official record of evidence which will help the Agency make policy decisions.

Public Advisory Committees and Panels

FDA routinely looks for qualified people to serve on a variety of public advisory committees and panels. Many of the Agency's committees and panels include members representing consumer and industry interests. FDA requests nominations for these members through announcements in the Federal Register. The committees generally study current scientific work and make recommendations to the Agency on product approvals, regulations, and other actions. Membership on most committees requires a scientific background. A free copy of "FDA Public Advisory Groups" or further information about FDA advisory committees, can be obtained by visiting <http://www.fda.gov/AdvisoryCommittees/Calendar/> or contacting the OC-Advisory Committee Oversight and Management Staff at 301-796-8220 or Food and Drug Administration, 10903 New Hampshire Avenue, WO32 – 5129, Silver Spring, MD 20993-0002. For current information or information updates on FDA advisory committee meetings, call the Advisory Committee Information Line by dialing 1-800-741-8138 or 301-443-0572, and the five digit number assigned to each advisory committee. This number will appear in each notice of meeting.

How Regulated Industry Can Communicate with FDA

Main FDA Address and Phone Number (for general inquiries):

U.S. Food and Drug Administration
10903 New Hampshire Ave.
Silver Spring, MD 20993
1-888-INFO-FDA (1-888-463-6332)

WHAT TO DO WHEN

Marketing a New Product

FDA must give the manufacturer, distributor or importer clearance to market certain products before they can be sold in interstate commerce. For example:

- New human and veterinary drugs ["New" drugs = those with new intended uses or new chemical entities] and certain medical devices [examples = stair-climbing wheelchair, contact lens, heart pacemaker] must be approved for safety and effectiveness, and their labeling reviewed for accuracy and thoroughness.
- Substances added to food must meet the requirements of the food additive regulations that are based on FDA's review of scientific data of safety and utility that have been submitted to FDA.
- All domestic and foreign facilities that manufacture/process, pack, or hold food (and dietary supplements) for human or animal consumption in the United States must register with the FDA. For more information on starting a food business see <http://www.fda.gov/Food/ResourcesForYou/FoodIndustry/>.
- In addition, manufacturers of low-acid canned foods* packaged in air-tight bottles, plastic bags, and cans and acidified foods** must register with FDA and submit detailed information about heat-treatments to destroy bacteria (and acidification, if necessary to prevent growth of bacterial spores).
- Specific premarket controls apply to biological products that are required to be licensed under Federal law.

Marketing these kinds of products or conducting experimental investigations with them in human clinical trials, requires that one or more applications be filed with FDA and that certain procedures be followed.

In addition, although some products [such as cosmetics and some radiation-emitting items] do not need premarket approval from FDA, there are regulatory standards and regulations applicable to their manufacture and labeling that fall under FDA's jurisdiction. Therefore, to avoid unnecessary delay in bringing new products to market, it would be helpful to talk with an FDA product specialist early in your planning. (See Who to Contact for Assistance for the most appropriate contact).

PRODUCTS THAT REQUIRE REGISTRATION, LISTING, FILING OF A COOKING PROCESS, OR LICENSING PRIOR TO MARKETING:

- All domestic and foreign facilities that manufacture/process, pack, or hold food (and dietary supplements) for human or animal consumption in the United States must register with the FDA to satisfy the Bioterrorism Act of 2002. The agency highly recommends on line registration at <http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/RegistrationofFoodFacilities/>. You must register using Form 3537. If you do not have reasonable access to the Internet, you may obtain a copy of this form by writing to the U.S. Food and Drug Administration, HFS-681, 5600 Fishers Lane, Rockville, MD 20857, or by requesting the form by phone at 800-216-7331 or 301-575-0156.
- Low Acid Canned Foods [LACF]* such as traditional vegetables, or any other food requiring aseptic processing to control the growth of pathogens must register all manufacturing establishments and file all scheduled processes. [To order forms 2541, 2541a: via phone 301-436-2411 or via Internet at <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM076778.pdf>, <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM076784.pdf>]
 - Acidified Foods** such as salsas, hot sauces, certain salad dressings, relishes, barbecue sauces, or any other food that use acidification [addition of vinegar, lemon juice, etc.] to control the growth of pathogens must register all manufacturing establishments and file all scheduled processes. [To order forms 2541 or 2541a: Via phone: 301-436-2411 or via Internet at <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM076778.pdf>, <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM076784.pdf>]
- Drugs including medical gases, human and veterinary prescription drugs, over-the-counter [OTC] drugs, and certain biologics must register all establishments and list all drug products electronically at <http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/DrugRegistrationandListing/ucm078801.htm>.
 - **In addition**, many drugs require an Investigational New Drug [IND] application, New Drug Application [NDA], an Abbreviated New Drug Application [ANDA], New Animal Drug Application [NADA], or an Abbreviated New Animal Drug Application [ANADA]. Learn more about the drug development and approval process online at <http://www.fda.gov/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/>.
- Devices - human and animal devices must register all establishments and list all device products. Visit <http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/HowtoMarketYourDevice/RegistrationandListing/> for more information.
 - **In addition**, many devices require Premarket Notification [510(k)] or Premarket Approval [PMA] Visit <http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Overview/> for an overview of these and other requirements for medical devices.
- Biologics and Blood Banks - human biologics may also be considered a drug or device and subject to the requirements of a drug or device. Call 1-800-835-4709 or 301-827-1800 for more information about biologics or email matt@fda.hhs.gov.

HANDLING AN FDA INSPECTION

FDA may conduct an inspection of your operation for a variety of reasons, such as a routinely scheduled investigation, a survey, or a response to a reported problem. The investigator will present credentials and "Notice of Inspection" (FDA Form 482) upon arriving at your plant. A knowledgeable person in your firm, such as the plant or production manager, preferably designated ahead of time, should accompany the investigator at all times. It is in your best interest to fully understand FDA's inspection procedures. When you are unsure of certain actions taken by the investigator, don't hesitate to ask questions.

Usually, the investigator will examine your production process, look at certain records and collect samples. At the conclusion of the inspection, the investigator will discuss with your firm's management any significant findings and concerns; and leave with your management a written report of any conditions or practices, which, in the investigator's judgment, indicate objectionable conditions, or practices. This list of "Inspectional Observations," also called an FDA Form 483, can be used by your firm's management as a guide for corrective action, since the FDA representative will not usually recommend specific corrective measures. Your firm can and should respond to the FDA-483 during the discussion with the investigator. In fact, corrective actions or procedural changes that were accomplished immediately in the presence of the investigator are regarded as positive indications of your concern and desire to voluntarily correct discrepancies.

If you do not agree with the actions being taken by the FDA or if you have a question about the jurisdiction of the agency in a particular matter, you can contact the FDA's Office of the Ombudsman to seek a resolution.

FDA Office of the Ombudsman
10903 New Hampshire Avenue
WO 32, Room 4231
Rockville, MD 20903
Telephone: 301-796-8530
FAX: 301-847-8628
E-mail: ombuds@oc.fda.gov (*sending confidential information by electronic mail is not recommended*)

See the FDA Center Small Business Contacts for the Ombudsman in the various FDA Centers at <http://www.fda.gov/AboutFDA/ContactFDA/ResolveaDispute/HowtoContactanOmbudsman/CenterOmbudsmen/>.

If FDA takes regulatory action against your firm, the Small Business Representatives are not available for guidance, since their activities are nonregulatory in nature. You should contact a district Compliance Officer for advice (see FDA District Offices at <http://www.fda.gov/ICECI/Inspections/IOM/ucm124008.htm>) under those circumstances.

Recalling Violative Products

A "recall" is a firm's removal or correction of a marketed product that FDA considers to be in violation of the laws it administers and against which FDA would initiate a regulatory action such as seizure of the product. During a recall, a firm can expect to work more closely with FDA than under almost any other circumstance. In fact, the first step, when a product must be recalled, is for the manufacturer or distributor to call the nearest FDA field office and talk with the Recall Coordinator. See list of FDA District Recall Coordinators at <http://www.fda.gov/Safety/Recalls/IndustryGuidance/ucm129334.htm>.

FDA's main concerns during a recall are that the firm has determined the location of the product and organized the prompt removal from commerce of any suspect lots. FDA will then work with the firm to identify the cause of the problem and the corrections needed to prevent a recurrence.

FDA is also concerned about the final disposition of the recalled product. Final disposition may be in the form of destruction, with appropriate regard for local laws concerning waste removal or incineration.

Other possible conclusions to recalls include reconditioning (relabeling, repacking, reworking, etc.) or exportation, if permitted. Any method used must first be discussed with the FDA District Office, as FDA may wish to witness the effort, and the firm must maintain proper documentation.

Also with device recalls, the firm must report to the FDA District Office any Corrections or Removals in accordance with 21 CFR 806.10 as soon as the firm becomes aware of the problem.

Essentially, the procedures for a product recall are determined by the individual company; however, a proper recall system will include provisions for record-keeping, handling product returns, liaison with FDA, and public information. The efficiency of tracking and removing a product depends on the completeness of the records maintained throughout the production and distribution process.

Information on Recalls of FDA Regulated Products is available online at <http://www.fda.gov/Safety/Recalls/>.

Professional Demeanor of FDA Employee:

If you are concerned about the professional demeanor of any FDA employee during an inspection or during their performance of other official duties, you should contact the District Director in the nearest FDA field office to resolve your concerns. See <http://www.fda.gov/ICECI/Inspections/IOM/ucm124008.htm> to identify District Directors.

WHO TO CONTACT FOR ASSISTANCE

Knowing whom to contact is the first step in obtaining information you need. It may be helpful to keep in mind that FDA has five Centers, five Regions, and 21 District Offices within those regions. Reaching the right office and, more importantly, the right person who has the information you need, can sometimes be frustrating. This list of contacts should help guide you in the right direction.

Whether you need information related to getting your product approved and on the market, wanting an FDA speaker for your industry meeting, or just need copies of FDA regulations, there are a number of sources to which you can go for general assistance:

Small Business Representatives (SBRs) - FDA has Small Business Representatives who help small businesses whose products are regulated by FDA. They are located in two out of five regions of the country: Northeast and Southwest regions.

OTHER LINKS WITH INFORMATION OR ASSISTANCE FOR INDUSTRY:

DRUGS - [CDER] - <http://www.fda.gov/Drugs/DevelopmentApprovalProcess/SmallBusinessAssistance/>

FOODS, DIETARY SUPPLEMENTS, COSMETICS - [CFSAN] -

<http://www.fda.gov/Food/ResourcesForYou/FoodIndustry/>

DEVICES - [DSMICA in CDRH] -

<http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/ucm142656.htm> or

"DEVICE ADVICE" - <http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/>

BIOLOGICS - [CBER] - <http://www.fda.gov/BiologicsBloodVaccines/ResourcesforYou/Industry/>

ANIMAL PRODUCTS - [CVM] - <http://www.fda.gov/AnimalVeterinary/>

These sites are available to deal with the special concerns and/or provide helpful information to small firms and new businesses. They provide information that clarifies how Agency laws and regulations apply to various products or specific circumstances and suggest methods of meeting these requirements. The SBRs can respond to your inquiries, conduct or participate in workshops and conferences, or visit your plant, at your request, to offer assistance.

All FDA speaker requests must be submitted through:

Food and Drug Administration
Office of External Relations
Program and Speaker Coordination Staff
10903 New Hampshire Avenue
Silver Spring, MD 20203
Kenneth.Nolan@fda.hhs.gov

SMALL BUSINESS REPRESENTATIVES (SBRs)

Small Business Representative (HFR-NE17) Marilyn Rodriguez-Bohorquez

FDA, **Northeast Region (CT, MA, ME, NH, NY, RI, VT)**

158-15 Liberty Avenue

Jamaica, NY 11433-1034

Phone (718) 662-5618

FAX (718) 662-5434

Email: marilyn.bohorquez@fda.hhs.gov

Small Business Representative, (HFR-SW17) David Arvelo

FDA, **Southwest Region (AR, CO, IA, KS, MO, NE, NM, OK, TX, UT, WY, US-Mexico Border Imports)**

4040 N. Central Expressway, Suite 900

Dallas, TX 75204

Phone (214) 253-4952

FAX (214) 253-4970

Email: david.arvelo@fda.hhs.gov

**REGIONS AND DISTRICTS
FOOD AND DRUG ADMINISTRATION**

REGION and DISTRICT	STATES SERVED	DIRECTOR
<p>NORTHEAST REGION: <u>New York Regional Office</u> 158-15 Liberty Avenue Jamaica, NY 11433-1034 Phone - (718) 662-5416 FAX - (718) 662-5434</p>	<p>CT, MA, ME, NH, NY, RI, VT</p>	<p>Gail T. Costello REGIONAL DIRECTOR</p>
<p><u>New York District Office</u> 158-15 Liberty Avenue Jamaica, N.Y. 11433-1034 Phone - (718) 662-5447 FAX - (718) 662-5665</p>	<p>NY</p>	<p>Otto D. Vitillo District Director</p>
<p><u>New England District Office</u> One Montvale Ave. Stoneham, MA 02180 Phone - (781) 596-7717 FAX - (781) 596-7896</p>	<p>CT, MA, ME, NH, RI, VT</p>	<p>John Marzilli District Director</p>
<p>CENTRAL REGION: <u>Philadelphia Regional Office</u> U.S. Customhouse 200 Chestnut St., Room 900 Philadelphia, PA 19106 Phone - (215) 597-4390 FAX - (215) 597-5798</p>	<p>DC, DE, IL, IN, KY, MD, MI, MN, ND, NJ, OH, PA, SD, VA, WI, WV</p>	<p>Melinda K. Plaiser REGIONAL DIRECTOR</p>
<p><u>Philadelphia District Office</u> U.S. Customhouse 2nd and Chestnut Sts., Room 900 Philadelphia, PA 19106 Phone - (215) 597-4390 FAX - (215) 597-4660</p>	<p>DE, PA</p>	<p>Kirk Sooter District Director</p>

REGION and DISTRICT

STATES SERVED

DIRECTOR

Chicago District Office

550 W. Jackson Blvd.
Suite 1500 South
Chicago, IL 60661
Phone - (312) 353-5863
FAX - (312) 596-4187

IL

Scott J. MacIntire
District Director

Baltimore District Office

6000 Metro Dr. Suite 101
Baltimore, MD 21215
Phone - (410) 779-5454
FAX - (410) 779-5707

DC, MD, VA, WV

Evelyn Bonnin
District Director

Cincinnati District Office

6751 Steger Drive
Cincinnati, OH 45237-3097
Phone - (513) 679-2700
FAX - (513) 679-2771

KY, OH

Teresa C. Thompson
District Director

New Jersey District Office

Waterview Corporate Center
10 Waterview Blvd., 3rd Floor
Parsippany, NJ 07054
Phone - (973) 526-6000
FAX - (973) 526-6069

NJ

Diana Amador
District Director

Detroit District Office

300 River Place Drive
Suite 5900
Detroit, MI 48207-4457
Phone - (313) 393-8100
FAX - (313) 393-8105

IN, MI

Joann M. Givens
District Director

Minneapolis District Office

212 3rd Ave., South
Minneapolis, MN 55401-2532
Phone - (612) 334-4100
FAX - (612) 334-4134

MN, ND, SD, WI

Vacant
District Director

SOUTHEAST REGION:

Atlanta Regional Office

60 Eighth St. N.E.
Atlanta, GA 30309
Phone - (404) 253-1171
FAX - (404) 253-1207

**AL, FL, GA, LA, MS,
NC, PR, SC, TN, VI**

Malcolm Frazier
REGIONAL DIRECTOR

REGION and DISTRICT

STATES SERVED

DIRECTOR

Atlanta District Office

60 Eighth St. N.E.
Atlanta, GA 30309
Phone - (404) 253-1161
FAX - (404) 253-1202

GA, NC, SC

John Gridley
District Director

New Orleans District Office

404 BNA Dr B1g 200 Ste 500
Nashville, TN 37217
Phone - (615) 366-7801
FAX - (615) 366-7802

AL, LA, MS, TN

H. Tyler Thornburg
District Director

Florida District Office

555 Winderly Place. Suite 200
Maitland, FL 32751
Phone - (407) 253-1161
FAX - (407) 253-1202

FL

Emma R. Singleton
District Director

San Juan District Office

466 Fernandez Juncos Avenue
San Juan, PR 00901-3223
Phone - (787) 474-9500
FAX - (787) 729-6851

PR, VI

Maridalia Torres Irizarry
District Director

SOUTHWEST REGION:

Dallas Regional Office

4040 N. Central Expressway, Suite 900
Dallas, TX 75204
Phone - (214) 253-4901
FAX - (214) 253-4960

**AR, CO, IA, KS, MO,
NE, NM, OK, TX,
UT, WY, US-Mexico
Border Imports**

**DENNIS BAKER
REGIONAL DIRECTOR**

Dallas District Office

4040 N. Central Expressway, Suite 300
Dallas, TX 75204
Phone - (214) 253-5200
FAX - (214) 253-5313

AR, OK, TX

Reynaldo (Ricky) R.
Rodriguez, Jr.
District Director

Southwest Import District

4040 N. Central Expressway, Suite 300
Dallas, TX 75204
Phone – (214) 253-5330
Toll-free – (800) 991-4881
FAX – (214) 253-5316

AR, AZ, CA, CO, IA,
KS, MO, NE, NM,
OK, TX, UT, WY,
US-Mexico Border
Imports

Todd Cato
District Director

REGION and DISTRICT

STATES SERVED

DIRECTOR

Denver District Office
6th & Kipling Sts., Denver Federal Ctr
Bldg. 20, Entrance W-10
Denver, CO 80225-0087
Phone - (303) 236-3000
FAX - (303) 236-3099
(Mailing Address:
P.O. Box 25087

CO, NM, UT, WY

Harry T. Warwick
District Director

Kansas City District Office
11510 West 80th St.
Lenexa, KS 66214
Phone - (913) 752-2144
FAX - (913) 752-2136
(Mailing Address:
P.O. Box 15905
Lenexa, KS 66285-5905)

IA, KS, MO, NE

John Thorsky
District Director

PACIFIC REGION:

Oakland Regional Office
Oakland Federal Building
1301 Clay St. Suite 1180 - N
Oakland, CA 94612-5217
Phone - (510) 637-3960
FAX - (510) 637-3976

AK, AZ, CA, HI, ID,
MT, NV, OR, WA

Mark Roh
REGIONAL DIRECTOR

Los Angeles District Office
19701 Fairchild
Irvine, CA 92612-2506
Phone - (949) 608-2900
FAX - (949) 608-4498

AZ ,CA

Alonza E. Cruse
District Director

Seattle District Office
22201 23rd Dr. S.E.
Bothell, WA 98021
Phone - (425) 486-8788
FAX - (425) 483-4996

AK, ID, MT, OR,
WA

Charles Breen
District Director

San Francisco District Office
1431 Harbor Bay Parkway
Alameda, CA 94502-7096
Phone - (510) 337-6700
FAX - (510) 337-6859

CA, HI, NV

Barbara Cassens
District Director

FDA CENTERS' SMALL BUSINESS CONTACTS

Center Small Business Contact Person - When you have an inquiry that requires highly specialized assistance, such as information to be submitted in a new drug application, or if you are requesting a meeting with someone in headquarters, you may save time by directly calling the small business contact person in the appropriate center. The people listed below can also send you a wide variety of informational materials or audiovisuals:

Center for Drug Evaluation and Research

CDER Small Business Assistance
(866)-405-5367
(301)-796-6707
CDERSmallBusiness@fda.hhs.gov
Office of Communications
W051-2201
10903 New Hampshire Avenue
Silver Spring, MD 20993

CDER Ombudsman

Virginia Behr
Telephone: 301-796-3436
E-mail: CDERombudsman@fda.hhs.gov

Small Business Assistance for drug firms can be accessed from the Center for Drug Evaluation and Research at <http://www.fda.gov/cder/about/smallbiz/default.htm> or by calling the Division of Drug Information, listed above.

Center for Biologics Evaluation and Research

Manufacturers Assistance and Technical Training Branch (CBER)
(800) 835-4709
(301) 827-1800
matt@fda.hhs.gov
Division of Manufacturers Assistance and Training
Office of Communication, Outreach and Development
Food and Drug Administration
1401 Rockville Pike
Suite 200N/HFM-41
Rockville, MD 20852-1448

CBER Ombudsman

Sheryl Lard Whiteford
Telephone: 301-827-0379
E-mail: Sherry.Lard@fda.hhs.gov

Center for Food Safety and Applied Nutrition

Outreach and Information Center (HFS-009)
1-888-SAFEFOOD
1-888-723-3366

industry@fda.gov
Center for Food Safety and Applied Nutrition
Food and Drug Administration
5100 Paint Branch Parkway
College Park, MD 20740

Center for Devices and Radiological Health

Division of Small Manufacturers, International and Consumer Assistance (HFZ-220),
800-638-2041 or 301-796-7100
dsmica@fda.hhs.gov
More at <http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/ucm142656.htm>

CDRH Ombudsman

Les Weinstein
Telephone: 240-276-3962
E-mail: ombudsman@cdrh.fda.gov

Center for Veterinary Medicine

240-276-9300
AskCVM@fda.hhs.gov
Communications Staff (CVM)
Food and Drug Administration
7519 Standish Place
HFV-12
Rockville, MD 20855

CVM Ombudsman

Marcia Larkins
Telephone: 240-276-9015
E-Mail: CVMombudsman@fda.hhs.gov

In addition, the Division of Small Manufacturers, International and Consumer Assistance (DSMICA), established in the Center for Devices and Radiological Health, provides technical and other non-financial assistance to small medical device manufacturers. Although DSMICA personnel are located in headquarters, they routinely provide field assistance to firms by conducting workshops and, at the request of the manufacturer, making onsite visits.

HOW TO OBTAIN ASSISTANCE FOR FDA'S PROCUREMENT AND CONTRACT ACTIVITIES

FDA has a special program that helps small companies participate in the Agency's procurement and contract activities. The program's goal is to seek out and encourage small companies to provide the Agency with needed supplies and services. For more information see the FDA Small Business Program website at <http://www.fda.gov/AboutFDA/business/ucm134069.htm> or contact:

Office of Small Disadvantaged Business Utilization
Small Business Specialist
Attn: Victoria Johnson
Food and Drug Administration
FHSL RM2037 HFA-500
5630 Fishers Lane
Rockville, MD 20857
Phone: (301) 827-1994
E-mail: Victoria.Johnson@fda.hhs.gov

Procurement activities include the purchase of scientific and laboratory equipment such as chemicals, glassware, furniture, electronic components, various species of laboratory animals, animal feed, bedding, holding cages, and other related supplies. The Agency also solicits proposals and awards contracts for research, surveys and studies in the areas of management, construction/renovation, science, and medicine. The Agency has a Small and Disadvantaged Business Utilization Specialist who is available to assist and counsel small companies in capturing the Agency's procurement and contract dollars. Small companies that are interested in obtaining more information about the Agency's procurement and contract activities may direct their inquiries to the contact above.

FREQUENTLY CALLED NUMBERS & WEB SITE INDEX
TOLL-FREE 888-INFO-FDA (888-463-6332)

CENTER FOR BIOLOGICS EVALUATION AND RESEARCH

Consumer Affairs Branch (CBER)

(800) 835-4709

(301) 827-1800

ocod@fda.hhs.gov

Division of Communication and Consumer Affairs

Office of Communication, Outreach and Development

Food and Drug Administration

1401 Rockville Pike

Suite 200N/HFM-47

Rockville, MD 20852-1448

CENTER FOR DEVICES AND RADIOLOGICAL HEALTH

1-800-638-2041

301-796-7100

Food and Drug Administration

10903 New Hampshire Avenue

WO66-5429

Silver Spring, MD 20993

CENTER FOR DRUG EVALUATION AND RESEARCH

Human Drug Information

(888) 463-6332

(301) 796-3400

druginfo@fda.hhs.gov

Division of Drug Information (CDER)

Office of Communications

WO51-2201

10903 New Hampshire Avenue

Silver Spring, MD 20993

CENTER FOR FOOD SAFETY AND APPLIED NUTRITION

Outreach and Information Center (HFS-009)

1-888-SAFEFOOD

1-888-723-3366

Consumers:

consumer@fda.gov

Industry:

industry@fda.gov

Center for Food Safety and Applied Nutrition

Food and Drug Administration

5100 Paint Branch Parkway

College Park, MD 20740

NATIONAL INSTITUTES OF HEALTH GRANTS INFORMATION LINE

<http://grants.nih.gov/grants/oer.htm> or call 301-435-0714, TTY: (301) 451-5936

SMALL BUSINESS ADMINISTRATION

<http://www.sba.gov/> or 1-800-U-ASK-SBA (1-800-827-5722)

GOVERNMENT PRINTING OFFICE

<http://www.gpo.gov/> or 1-866-512-1800 or 202-512-1800

ACCESS INFORMATION FROM THE INTERNET

World Wide Web (www) FDA Home Page can be reached at the Uniform Resource Locator: <http://www.fda.gov/> (with hypertext links to information about various FDA responsibilities: foods, human drugs, animal drugs, biologics, cosmetics, medical devices and radiological health, toxicology, and FDA news). FDA is placing the documents that the public most frequently requests on the WWW site to give users more immediate access. Web sites Referenced in this document and FDA-related web sites:

<p>CBER - Biologics Standard Operating Policy and Procedures</p> <p>CBER - Center for Biologics Evaluation and Research</p>	<p>http://www.fda.gov/BiologicsBloodVaccines/GuidanceComplianceRegulatoryInformation/ProceduresSOPPs/</p> <p>http://www.fda.gov/BiologicsBloodVaccines/</p>	<p>license forms, instructions, guidance</p> <p>blood, biologic products, tissue, in-vitro diagnostics</p>
<p>CDER - ANDA Application Process</p>	<p>http://www.fda.gov/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/ApprovalApplications/AbbreviatedNewDrugApplicationANDAGenerics/</p>	<p>forms for generic drug submissions, instructions, guidance</p>
<p>CDER - Center for Drug Evaluation & Research</p>	<p>http://www.fda.gov/Drugs/</p>	<p>prescription human drugs, over-the-counter drugs, medical gases</p>
<p>CDER – Drug Registration / Listing</p>	<p>http://www.fda.gov/Drugs/GuidanceComplianceRegulatoryInformation/DrugRegistrationandListing/ucm084014.htm</p>	<p>facility registration and drug listing forms, instructions, guidance</p>
<p>CDER – IND Application Process</p>	<p>http://www.fda.gov/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/ApprovalApplications/InvestigationalNewDrugINDApplication/</p>	<p>investigational drug forms, instructions, guidance</p>
<p>CDER – NDA Application Process</p>	<p>http://www.fda.gov/Drugs/DevelopmentApprovalProcess/HowDrugsareDevelopedandApproved/ApprovalApplications/NewDrugApplicationNDA/</p>	<p>forms for new drug submissions, instructions, guidance</p>
<p>CDER – Small Business Assistance</p>	<p>http://www.fda.gov/Drugs/DevelopmentApprovalProcess/SmallBusinessAssistance/</p>	<p>assistance for new and small drug businesses</p>
<p>CDRH – Center for Devices & Radiological Health</p>	<p>http://www.fda.gov/MedicalDevices/</p>	<p>human and animal devices, in-vitro diagnostics, radiologicals, lasers</p>
<p>CDRH – Device Advice</p>	<p>http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/</p>	<p>device advice, search device databases; 510k / PMA help</p>
<p>CDRH – Device Registration / Listing</p>	<p>http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/HowtoMarketYourDevice/RegistrationandListing/</p>	<p>forms for facility registration and device listings, instructions, guidance</p>
<p>CDRH / Industry Assistance</p>	<p>http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/ucm142656.htm</p>	<p>assistance for small device businesses</p>
<p>CFSAN – Center for Food Safety & Applied Nutrition</p>	<p>http://www.fda.gov/Food/</p>	<p>food [except red meat and poultry], dietary supplements, food additives, cosmetics, dinnerware</p>
<p>CFSAN – LACF / Acidified Food Registration / Process Filing</p>	<p>http://www.fda.gov/Food/FoodSafety/Product-SpecificInformation/AcidifiedLow-AcidCannedFoods/</p>	<p>forms for facility registration and filing a cooking process [acidified and low acid canned foods only], instructions, and guidance</p>
<p>CFSAN – Starting a Food Business</p>	<p>http://www.fda.gov/Food/ResourcesForYou/FoodIndustry/</p>	<p>information, assistance for new food businesses</p>
<p>Compilation of Laws Enforced by Food & Drug Administration</p>	<p>http://www.fda.gov/RegulatoryInformation/Legislation/</p>	<p>access all FDA regulations</p>

CVM - Center for Veterinary Medicine	http://www.fda.gov/AnimalVeterinary/	animal drugs, animal feed, pet products
CVM - FAQ's	http://www.fda.gov/AnimalVeterinary/SafetyHealth/FrequentlyAskedQuestions/	Frequently Asked Questions [and Answers] about veterinary regulations
CVM - NADA / ANADA Application Process	http://www.fda.gov/AnimalVeterinary/DevelopmentApprovalProcess/NewAnimalDrugApplications/	forms for new animal drug submissions, instructions, guidance
FDA - Citizen Petitions	http://www.fda.gov/RegulatoryInformation/Dockets/Comments/default.htm#petitions	petition requests to add, remove, or change agency regulations
FDA - Ombudsman	http://www.fda.gov/ForIndustry/DisputeResolution/	mediation, resolution of disputes with FDA and help for industry
FDA - Public Docket of Proposed Regulations	http://www.fda.gov/RegulatoryInformation/Dockets/	comment on proposed regulations, view pending regulations
FDA - Public Hearings	http://www.fda.gov/NewsEvents/MeetingsConferencesWorkshops/	how to participate in FDA's rulemaking process
FDA - Recalls	http://www.fda.gov/Safety/Recalls/	product recall information, regulations, procedures
FDA FOI - Handbook for Requesting Information and Records	http://www.fda.gov/RegulatoryInformation/FOI/HowtoMakeaFOIARequest/	how to submit requests under the Freedom of Information Act
FDA Home Page	http://www.fda.gov/	starting point for all FDA web sites
FDA Modernization Act	http://www.fda.gov/RegulatoryInformation/Legislation/FederalFoodDrugandCosmeticActFDCA/SignificantAmendmentsToTheFDCA/FDAMA/	changes to FDA regulations since 1997
Information for FDA-Regulated Industry	http://www.fda.gov/ForIndustry/	FDA-regulated industry web sites
State Health Agencies	http://www.fda.gov/ForFederalStateandLocalOfficials/	links to state agencies
US Government - Superintendent of Documents	http://www.gpoaccess.gov/	access to all government publications
US Government CFR's Online	http://www.gpoaccess.gov/cfr/	access to all government regulations that are online
USDA - Home Web site	http://www.usda.gov/	red meat, poultry regulations, information

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