Medicines & Healthcare products
Regulatory Agency

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[redacted]

19 April 2024

MHRA reference: FOI 24/305

Dear [redacted],

Thank you for your information request, which we received on 27 March 2024. You asked for:

> *"Please could you provide the following information:*
>
> *1. What date do you predict HRT implants will be available again as a critical treatment intervention for women in surgical menopause?*
> *2. What was the concern that prompted the review at this time (given the APT implants have been in use in the UK since 2015)?*
> *3. Have you considered approving other compound pharmacies in US or Australia to supply HRT implants to the UK to offer more patient choice?*
> *3. Why are you not continuing supply in tandem with your review to ensure continuity of care and treatment for this patient group who are at risk if treatment is interrupted and delayed?*
> *5. What evidence is being considered as part of the review?*
> *6. Have you taken into consideration the harm you are causing to women who rely upon this treatment intervention by halting supply and delaying access to supply?*
> *7. Have you consulted and engaged with women who have lived experience of successfully using the implant treatment option for many years?"*

Regarding your questions concerning the recent pause on imports of unlicensed hormone implants into the UK, the regulation of medicines on the UK market is undertaken by MHRA in accordance with the Human Medicines Regulations 2012 (SI 2012/1916). There are two routes possible with licensed and unlicensed medicines potentially being supplied. We encourage licensed supply as this means medicines are required to be authorised before being placed on the market. This means the licensing authority has reviewed the quality, safety and efficacy of authorised medicines.

Nevertheless, there are legal provisions allowing for unlicensed medicines to be prescribed and supplied to patients, when there are no licensed medicines that are available and capable of meeting the special clinical needs of individual patients. Their use is the responsibility of the prescriber responsible for the care of individual patients.

Estra 25mg and 50mg pellets are unlicensed medicines in the UK and in the USA. This means these medicines are not overseen by a regulatory authority and there are no guarantees to their composition, safety or efficacy. Unlicensed medicines are not authorised by the MHRA and as such have not been assessed for their quality, safety or efficacy. However, unlicensed medicines are generally expected to meet certain UK manufacturing standards in the interest of safeguarding patients' health.

When the MHRA became aware of concerns over manufacturing standards at the implant manufacturing site in the USA, the MHRA decided to implement a precautionary pause on the importation of these implants while an initial review of all the available information was conducted.

Considering this may be the only suitable treatment option for some patients and the absence of significant safety signals so far, the MHRA has decided to allow supply to resume following a preliminary analysis of available evidence, and while our more in-depth review continues.

We recognise that temporarily pausing the imports of Estra 25mg and 50mg pellets into the United Kingdom has caused concerns among the group of patients who rely on these medicines. We unreservedly apologise for the concerns caused. Your safety is our top priority and as a result we initially decided to pause imports as a precautionary step given the potential for the implants to cause harm to patients.

We have engaged with the US competent authority, the Food and Drug Administration (FDA), to better understand their findings on this manufacturing site. Once we understand this, we will share our findings with the importer and consult with prescribers responsible for patients currently receiving these implants so they can make appropriate decisions in their patients' best interests.

Regarding your specific questions:

1. What date do you predict HRT implants will be available again as a critical treatment intervention for women in surgical menopause?

As stated above, the MHRA has allowed supply of Estra 25mg and 50mg pellets to resume in the UK following its preliminary analysis of available evidence.

2. What was the concern that prompted the review at this time (given the APT implants have been in use in the UK since 2015)?

We have stated above that a precautionary pause was implemented because MHRA became aware of concerns over manufacturing standards at the implant

manufacturing site in the USA. MHRA has decided to allow supply to resume following a preliminary analysis of available evidence, and while our more in-depth review of this supply route continues.

As a more in-depth review is ongoing, we exempt releasing any further information under Section 35 (formulation of government policy) of the Freedom of Information Act (FOIA):

35 Formulation of government policy, etc.

(1) Information held by a government department or by the Welsh Assembly Government] is exempt information if it relates to—

(a) the formulation or development of government policy,

Public interest test

Section 17(3) of the Act requires us to conduct a Public Interest Test (PIT) when considering this class-based exemption. In applying this exemption, we are required to consider whether, in all the circumstances of the case, the public interest in providing this information outweighs the public interest in withholding the information you have requested. The 'public interest' is not the same as what interests the public. The 'right to know' must be balanced against the need to enable effective procedural governance and to serve the best interests of the public.

Considerations in favour of providing information requested

To provide the information requested would be of interest to patients who want to understand the investigation into an imported medicine that they are currently prescribed. It would also be of benefit in general to show transparency in MHRA's day-to-day work for the public to see progress with the current investigation.

Considerations in favour of withholding the information

The review is still ongoing and has not yet concluded. This means that Section 35(1)(a) is engaged and will remain engaged until our review has concluded. To provide information at this point could prejudice this review, by releasing information into the public domain that could be used for persons to try to reach their own conclusions before we have concluded our review. As we have stated, this may be the only suitable treatment option for some patients and the absence of significant safety signals so far, the MHRA has decided to allow supply to resume following a preliminary analysis of available evidence.

After considering these circumstances, the public interest favours withholding this information while the review is ongoing. Please also be aware that even after our review has concluded, other exemptions may apply to some information relevant to your request, such as Section 41 (information provided in confidence), Section 43 (commercial interests), Section 21 (information accessible by other means) and Section 22 (information intended for future publication).

3. Have you considered approving other compound pharmacies in US or Australia to supply HRT implants to the UK to offer more patient choice?

There are two routes possible with licensed and unlicensed medicines potentially being supplied. We encourage licensed supply as this means medicines are required to be authorised before being placed on the market. This means the licensing authority has reviewed the quality, safety and efficacy of authorised medicines.

UK importers are welcome to come to the MHRA and submit notifications of intent to import unlicensed medicines from alternative sources. Manufacturers of unlicensed medicines in the UK are also welcome to develop their own products. The MHRA also supports pharmaceutical industry in seeking marketing authorisations for medicines that we have assessed for their quality, safety or efficacy.

However, the MHRA has no control over which unlicensed medicines importers request us to import. The MHRA is willing to consider every available option globally and perform its assessment in the interest of safeguarding public health. Prescribers will need to request these products and UK licensed importers will then need to submit a notification of intent to import them. Only then is the MHRA able to consider the requests.

4. Why are you not continuing supply in tandem with your review to ensure continuity of care and treatment for this patient group who are at risk if treatment is interrupted and delayed?

Supply is continuing in tandem with the review to ensure patients have access to the medicines they need. Safety is our top priority and as a result we initially decided to pause imports as a precautionary step given the potential for the implants to cause harm to patients.

5. What evidence is being considered as part of the review?

We have engaged with the US competent authority, FDA, to better understand their findings of the manufacturing site. Once we understand this, we will share our findings with the importer and consult with prescribers responsible for patients currently receiving these implants so they can make appropriate decisions in their patients' best interests.

6. Have you taken into consideration the harm you are causing to women who rely upon this treatment intervention by halting supply and delaying access to supply?

The MHRA considered this and sought advice from the NHS that advised alternative therapeutics could be made available. After carefully reviewing all the available information and considering this may be the only suitable treatment option for some patients, we have decided to allow further supply while our review continues. We are communicating this position to individuals who have been in touch with us via our

Customer Service Centre. Patients should continue with their treatment and discuss any concerns they have with their healthcare professional.

7. Have you consulted and engaged with women who have lived experience of successfully using the implant treatment option for many years?

Once we finalise our most in-depth review we will share our findings with the importer of the unlicensed medicine and patient groups. We will consult with prescribers responsible for patients currently receiving these implants so they can make appropriate decisions in their patients' best interests.

We are also engaging with stakeholder groups to ensure all views are considered in making decisions.

We hope this information is useful for you.

This concludes our response to your request.

If you have a query about this response, please contact us at info@mhra.gov.uk

Please remember to quote the reference number at the top of this letter in any future communications. Details of your appeal rights are below.

Yours sincerely,

MHRA Customer Experience Centre
Communications and Engagement Team
Medicines and Healthcare products Regulatory Agency
10 South Colonnade, Canary Wharf, London E14 4PU

Appeal rights

If you are dissatisfied with the handling of your request, you can ask us to conduct an internal review. Internal review requests should be submitted within two months of the date you receive this response and addressed to: info@mhra.gov.uk

If you remain dissatisfied with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please bear in mind that the Information Commissioner will not normally review our handling of a request unless the requester has first asked us to conduct an internal review.

The Information Commissioner can be contacted through their online webform at: https://ico.org.uk/make-a-complaint/foi-and-eir-complaints/foi-and-eir-complaints/

Or in writing to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

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Re-use of our information