



The EFGCP Report on
The Procedure for the Ethical Review of Protocols
for Clinical Research Projects in Europe
(Update: March 2008)

France

1. What laws or regulations apply to an application for conducting a clinical trial in France?

Code de santé publique, but regulations different according to the scope of the research. Loi 2004-806 du 09 août 2004, relative à la politique de santé publique. (The purpose of this particular review was to implement Directive 2001/20/EC.)

Article L1121-1 of the law 2004-806 of August 9, 2004 defines the scope of the law as all biomedical research involving human beings, with the aim of increasing biological or medical knowledge. This law covers trials about medicines around all biomedical researches. It states an exception: when products are used in the usual way, without any supplementary diagnostic or surveillant measure, or when research aims at evaluating current clinical practice.

Decree of 26 April 2006

Bioethics law of August 6 2004 -

Law 78-17 of 1978, modified in relates to computer science, to databases and to data collection.

2. Which government, legal or authoritative body or bodies is or are responsible for the establishment and/or accreditation of (research) ethics committees for reviewing clinical trials for investigational medicinal products, their supervision and quality? Are there different (research) ethics committees reviewing other projects?

The competent regional research ethics committees (CPPs) replace CCPPRBs.

The French ministry of health is responsible for the agreement of CPPs which nevertheless still remain independent committees. They have the task of evaluating biomedical protocols.

The process for evaluation of REC (CPP) is in progress.

Biomedical researches which are not concerned by the law 2004-806 do not need to be submitted to ethics committees.

Epidemiological studies are not considered as research studies, and are not covered by the law. They are covered by the law on bio-ethics and by the law 78-17 concerning databases and their exploitation.

Genetic studies are covered by the bioethics law of August 2004, with an important role of the newly created "Agence de biomédecine".

There are no other RECs reviewing other projects.

3. What is the process for achieving clinical trial authorisation from the competent authority in France?

4. What is the process for obtaining ethical review of a clinical trial protocol by a competent (research) ethics committee in France?

(NB For France these two questions are most appropriately answered together)

Clinical trial sponsors have to submit their protocols both to the competent regional ethics committee (CPP), and to the competent authority. These submissions can be either simultaneous or one after the other.

The authorisation to conduct a trial requires both the E.C. (CPP) approval and the competent authority authorization.

No clinical trial will ever start without a CPP approval. This committee evaluates the different parts of the protocol, in line with the requirements set out in the Directive. The CPP sends its written and argued advice within 35 days to the promoter. This advice is also sent for information to the competent authority.

The CPP has 35 days from the reception of the protocol to give a written argued advice. Lack of advice after the deadline is considered as a refusal. If the CPP needs more information about the research, it can ask the sponsor only on time, the delay for advice is 60 days.

The competent authority acknowledges receipt of the protocol and informs the promoter of the date after which in the absence of any remark, the trial can begin (silent approval).

The competent authority is allowed to ask promoters additional information or to have reservations. These questions are transmitted to the CPP.

The list of CPP is available at <http://www.recherche-biomedicale.sante.gouv.fr>.

The French licensing authority is the Agence Française de Sécurité Sanitaire des Produits de Santé. Its website is at <http://www.afssaps.sante.fr>.

5. Is there a single organisation to which to apply for ethical review of a clinical trial for an investigational medicinal product, regardless of whether this is for a single site or multiple sites?

No.

6. What is the website for the organisation that issues guidelines on the ethical review of a clinical trial for an investigational medicinal product?

This is not yet available.

7. Is there a procedural interaction between the national or local competent authority and the (research) ethics committee during the approval process?

Yes but only to exchange information.

Interactions between the competent authority and the research ethics committee are constant during the approval procedure as the competent authority sends a copy to the CPP of all their questions and reservations.

8. Does the application to the EC and to the competent authority have to be submitted in parallel, or, if not, in which order?

In parallel generally if not it is first to EC and then to CA

9. How many (research) ethics committees are there in France?

40 CPPs.

10. How are ECs funded in France? Do they charge fees? If yes what is their scale of fees?

Financing of the committees is based on fees paid by the sponsors The Ministry of Health decides how the money is divided between the committees in relation to their activity.

The sponsor pays 2000 €by dossier
250 €for a substantial amendment
and 10 % for academic sponsors.

11. Who is responsible for submitting the request for ethical review to the competent ethics committee for single-site and for multi-site clinical trials?

The sponsor.

12. How is a "single opinion" achieved for multi-site studies?

The sponsor chooses a national coordinating investigator and then submits the protocol to a CPP of the investigator's region: the advice of the CPP is valid for all sites.

13. How many members serve on an EC?

28 members (14 occupants, 14 deputies).

14. How many members constitute a quorum?

7.

15. How are EC members appointed?

Members are appointed in each region by the prefect after spontaneous candidature

16. How is the independence of members ensured?

There is no control system but members have to declare their conflicts of interests.

17. How are conflicts of interest of EC members avoided?

They have to make the declaration.

18. What backgrounds and/or qualifications of members are actively sought?

There are 28 members per CPP divided into 2 colleges:

College 1:

4 persons with qualification and great experience with biomedical research. Among these 4 persons, 2 or more must be medical doctors, and one has to be well-versed in biostatistics or in epidemiology, 1 must be a qualified general practitioner, 1 must be a hospital pharmacist and 1 must be a Nurse

College 2:

1 ethicist
1 psychologist
1 social worker
2 lawyers
2 representatives of patients associations

No particular background in ethics is required. Half of the members of the committee have to come from outside the biomedical research domain.

19. How do ECs obtain specialist expertise?

Ethics committees ask the advice of outside experts and specialists for paediatrics and for trials involving incapable adults.
There is a national list of experts (members of the 40 CPP).

20. What are the training requirements for members of ECs?

Training is not compulsory.

21. What training programmes are available for EC members in France?

There is a national conference of the CPP's which gives training during an annual meeting and workshops.

A national program is currently being planned.

22. What are the timelines for the assessment of single- and multi-site studies?

5 weeks.

23. How are substantial amendments submitted during the review process dealt with?

In the same way as the original protocol.

24. How does an EC assess the suitability of investigators and of sites?

On the basis of the curriculum vitae of the investigators (physician, medical qualification, clinical research suitability, publication)- On the basis of a specific document describing sites.

25. How are the requirements for (research) ethics committees to review the contractual or financial arrangements in clinical trials for both investigators and hospitals handled?

At this moment, the ethics committees do not look at these aspects.

26. How are the requirements for ethics committees to review the compensation arrangements for study subjects handled?

There is no uniform system but a subject cannot receive more than 4500 €for year.
All persons included in clinical trials can be paid according to constraints, respected by the EC.

27. Is there an ongoing quality assurance process (e.g. audits, inspections, internal SOP) for (research) ethics committees in France?

No.

28. Is there an appeal mechanism?

Yes. This appeal can be done within 15 days after the first negative advice once only. The protocol is then submitted to another EC, the French ministry of health chooses the second EC.

29. How do ECs deal with SUSAR reports and Annual Safety Reports?

ECs must be informed by the sponsor of every SUSAR in France, and by six-monthly reports for other SUSAR. The Annual Safety Reports are examined by EC.

30. How are 'substantial amendments' defined?

Substantial amendments are defined as amendments that modify significantly any aspect of the research. Some of them concern only EC or CA or the both.

31. What are the indemnity insurance requirements for research projects?

Variable.

32. What are the indemnity insurance requirements for ethics committee members themselves?

33. How is informed consent obtained from vulnerable subjects who are potentially to be involved in a clinical trial?

There are specific dispositions for each category of vulnerable subjects.
Consent by the legal representative.

34. How do ECs assess the progress and outcome of research projects that they have approved?

EC must be informed by the sponsor at the beginning and at the end of the research. A summary of final report must be sent to the EC and to the competent authority.

35. How does the EC ensure reception of the Annual Safety Report and the Summary of the Final Report of a research project that it has approved?

Not yet defined.

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