

CVB Inspection and Compliance Policy Concerning Compliance with Title 9 CFR 114.11 and Out of Cooler Episodes

BACKGROUND: Title 9 CFR 114.11 describes the requirements for storage and handling of biological products. Biological products at licensed establishments must be protected at all times against improper storage and handling. Unless specified otherwise in the Outline of Production, product shall be kept under refrigeration at 35°F to 45°F (2°C to 7°C).

This regulation can be challenging to some manufacturers whose process is to fill the product in containers, seal or stopper and set the product in the refrigeration unit until labeling occurs to meet just-in-time marketing demands. The CVB Inspection and Compliance is committed to regulatory flexibility and evaluates each situation for risk to the product quality and quality life expectancy of the product.

This document describes policies and practices the IC Section performs when evaluating the acceptability of compliance to Title 9 CFR 114.11.

INSPECTION FINDINGS:

A. Labeling:

If product is pulled from the refrigeration and allowed to acclimate to room temperature, the Specialist must evaluate the following.

- Approved process in the Outline of Production? Some products are allowed to be stored and shipped at room temperature. Refer to the product's Outline of Production.
 - If **yes** in the Outline of Production, no further action unless the process observed or documentation does not substantiate the Outline of Production process.
 - If **no**, the Specialist must document the following assessment:
 - Determine if the firm has validated that the product is not affected by the duration outside the required temperature.
 - Start with the firm's documented procedure for the process. The documented process must have the duration limits specified.
 - Have the firm provide the validation study that correlates to the product. Document if acceptable.
 - Review the documentation to substantiate the firm is within the parameters determined by the validation study.
 - Document that the product samples used for the validation study were taken from product sitting out and not during the fill process.
 - If sampling time cannot be determined, the validation study may not be valid.
 - Document that samples for Section V testing are taken from product after the labeling process. If not, the firm must provide acceptable evidence that the product samples taken and tested are truly representative. This may be accomplished by the firm demonstrating that the potency test

CVB Inspection and Compliance Policy Concerning Compliance with Title 9 CFR 114.11 and Out of Cooler Episodes

results for samples used for Section V testing are statistically no different from the potency test results of samples of product that are available to the marketplace.

B. Packaging and Shipping:

If product is pulled from the refrigeration and observed to be sitting in the shipping department, the Specialist should determine that the firm is documenting how long the product is kept out of refrigeration and how the product is maintained according to the requirements during shipping.

- Some products are allowed to be stored and shipped at room temperature. Refer to the product's Outline of Production.
 - The Specialist should evaluate how the product is shipped and kept under refrigeration if applicable.

C. Regulatory Actions:

If the Specialist documents that a violation of the regulations has occurred, a risk assessment must be performed regarding product in the market place and product not released to the market.

See **ICWI0105**, *Compliance Policy for Issuing Regulatory Actions*.