

Twelfth session
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Working paper submitted by Austria

Report on an international trial random visit, conducted in Austria, August 10-11, 1998

I. General

An international random visit of a pharmaceutical company in Vienna was conducted August 10-11, 1998. The enterprise was selected because of its fermentation capacities exceeding 300 litres. The fictive selection was undertaken as mathematical random selection. The Visiting Team comprised four experts from Japan, Germany, Switzerland and Austria (team-leader). The Home Team comprised three persons, led by the National Authority. The Control Team comprised one person and was intended to offer guidance on both organisational as well as substantial questions. The Chairman of the Ad Hoc Group and an Austrian journalist participated as observers. The company was represented in the briefings by up to 8 representatives, in the course of the walk-down of the facility by up to 4 persons. The visit was conducted in English. No contact had been established between the visiting team and the company before the visit, especially the team leader had never visited the facility before. Also all other rules in the respective places of the rolling text and working papers have been strictly observed throughout the whole exercise.

II. Mandate of the visit and preparations

In preparation of the visit, the company had filled out a declaration on its installations and relevant activities. As trigger for the visit, a fictive notification by the Organisation for the Prohibition of Biological Weapons was sent to the National Authority (Ministry for Economic Affairs) on 3 August and replied the same day. The mandate of the visit and the names of the inspectors were attached. The mandate was the following:

1. Compare the consistency of the declaration
2. Discuss the triggered facility declaration

3. Address questions resulting from differences in interpreting either the declaration requirements or the declared data
4. Evaluate the relationship of activities central to the declared data with other activities on site

The operational instructions given to the visiting team by the General Director were the following:

- devote most of the time allocated for the visit to objective (1.) above, and where possible, tour the relevant buildings and areas making use of interviews and auditing as appropriate
- if possible, explore the relationships, if any, between the declared facility and other activities elsewhere on the site
- avoid to hinder activities of the enterprise as far as feasible
- do not seek, unless offered by the enterprise, to take samples and to request access to research and development installations
- the visit must be concluded within two days.

In preparation of the visit, two meetings took place between the home team and the facility personnel, one immediately before the commencement of the visit. These meetings allowed for detailed exchange of information and views on the rights and obligations during the visit, the interpretation of the mandate and on the main interests of the facility. Written information on its installations and activities was prepared by the facility in advance. The facility had nominated a point of contact (head of protein chemistry) for all issues relating to the preparatory work as well as to all questions arising during the conduct of the visit.

The visiting team gathered the fortnight for an initial meeting of 3 hours, which was followed the next morning by another meeting of one hour. In these meetings, the team established a clear understanding of the mandate given, reviewed the facility declaration in detail and worked out a basic outline for the visit plan and the main areas of the facility to visit. The team leader distributed specific key tasks to the members of the team, thereby drawing upon specific expertise and identifying also responsibilities for the respective parts of the draft final report.

III. The first day of the visit

The visiting team was taken by bus from the hotel at 09.30h and received by the production manager of the plant and his staff and the home team at the facility at 09.45h. In the course of the ensuing opening briefing, the facility was represented apart from the production manager and the point of contact by the head of fermentation, the head of production, the head of quality control and the responsables for technical issues, storage, public relations and legal issues.

The introduction comprised the presentation of all individuals present. The control team gave an overview of the aims of the exercise. The home team gave a presentation on its role during the visit. The chairman of the AHG offered a detailed analysis of the

actual status of the negotiations in Geneva.

Thereafter, the production manager gave a detailed overview on the history of the site, the legal and management control (part of an international group), the main areas of activities and the readiness to co-operate with the inspection team in full. The point of contact offered detailed information on the activities regarding fermentation, quality control and down-stream processing. Overhead photographs and outlines were used. The visiting team was invited to put forward questions immediately, which led to a lively discussion, and to the clarification and the betterment of understanding on a variety of issues. A detailed compilation of the information offered was handed over in written form to the visiting team.

On the request of the visiting team, a thorough discussion of the facility declaration took place, whereby some minor mistakes were identified and clarified on the spot. Questions raised related mostly to the control of the enterprise within the international group frame-work, technical equipment, production capabilities, containment and emergency procedures, and quality control aspects. After termination of this discussion the final visit plan was elaborated. In addition to the fermentation facilities, the enterprise granted access to the quality control laboratories and the storage facilities as well as to the down-stream processing installations. Discussions were finalised at 13.00h. The enterprise had also offered that the visiting team might split in two sub-teams in order to facilitate the timely conduct of the visit, whereby the visiting team foresaw to remain in principle in one team formation.

Beginning at 14.00h and lasting for 2 hours, the visiting team started the visit of the facilities with the two fermentation plants. One plant which was not in actual use was visited and discussions were centring around details of past production, the specific equipment components, its safety features, the containment of the facility, the production control and the personnel used. The second plant actually in operation was observed from the visitors stage only, as the visiting team did not find it necessary to accept the offer by the enterprise for limited access of 2 persons, due to Good Manufacturing Practices (GMP) reasons, in this case air control classification.

From 16.00h-17.00h, the visiting team was invited to visit the quality control laboratories, whereby it split into two sub-teams later during this visit for practical reasons. Laboratory personnel was interviewed and offered comprehensive information on its activities.

From 17.00h-18.00h, the visiting team split into two teams due to the offer of the enterprise to allow access for two persons (one of the visiting, one of the home team) to the downstream processing area. No activity took place at the respective installations at this moment, whereby access to the downstream area was limited due to GMP reasons. At the same time, the rest of the visiting team was visiting the storage facilities including the weighing station for storage release. The extraction

area was later-on visually observed by all members of the visiting team.

At 18.00h, the first visit day was officially terminated, and inspectors brought back to the hotel by bus. At 19.30h, a dinner was hosted by the home authorities for the visiting team.

IV. Activities on the second day

In the morning of the second day, the visiting team held an initial meeting from 08.00h-09.00h in order to review the previous day, to identify open questions and to agree upon some of the elements of the draft report. The Home Team and the facility staff met at 09.00h for a short organisational meeting. Arriving at the facility at 09.30h, the visiting Team raised some questions briefly with the facility staff. From 10.30h-12.30h, the visiting team elaborated the draft elements of the final report.

After drafting of the elements of the final report, they were presented by the visiting team and discussed thereafter between 12.30h.-13.30h. A number of corrections were undertaken on the request of the enterprise, which encompassed areas of misunderstanding or differing interpretations. As key part of its report, the visiting team could state that no evidence of inconsistencies were found.

Around 13.30h, the draft elements of the final report were adopted and the trial random visit officially concluded.

From 14.00h-15.00h, a general debate was undertaken, offering the possibility to all participants to voice their opinion on the conduct, the results and the lessons learnt from the visit (see annex).

From 15.00h-16.00h. details of a possible facility investigation of the enterprise was discussed. The facility personnel made specific comments on such a scenario, both pertaining to the access requirements of the visiting team as well as to the impossibility of a cover-up in light of production preparations, production records, free communication among facility personnel and safety considerations.

At 16.00h, all teams left the facility. The visiting team was either escorted back to the hotel or to the train station or the airport, as appropriate.

V. Elaboration of the Final report

The Visiting team elaborated a final report within 4 days of their fictive departure from Austria. The report was sent to the National Authority of Austria by the Organisation, and then sent on to the enterprise. Main points of the final report are the following:

The company belongs to the private sector, with no relationship to the government or military.

No external funding regarding production is received from the government. Contract manufacturing for other private companies might be carried out.

The facility is triggered by a fermentation capacity above 300 L. The aggregated fermentation capacity is above 10.000 l. Risk classes of organisms and main areas of production were indicated.

Access was granted to all areas of the declared facility if requested. The degree of access sought was granted.

The initial briefing by the site representatives together with the information contained in the declaration gave a comprehensive overview of the activities carried out at the site. A few minor inconsistencies regarding the declaration were clarified during this consultation. No auditing of records was undertaken.

Managed access was granted without any delay to the declared facility. Furthermore access was also granted on a managed access base to other areas. Site personnel and representatives of the States Party were highly co-operative and responded to all questions immediately.

The level of technology and applied know-how at the site is high. The company serves the international market and is therefore included in the control regime of other authorities.

Based upon the visit results, the Visiting team also elaborated a risk assessment in view of the capability at the site for the production of different biological agents belonging to different risk classes. The Visiting Team noted that the site as it stands would not be able to produce relevant biological agents for warfare purposes.

In this respect, the Visiting Team noted in particular following facts:

- No listed agents or toxins available or stored at the facility
- Integration of the facility in a frame-work of several quality control systems supervised by national and international authorities
- No appropriate containment system for risk class III organisms in place.
- Under-pressure conditions could only be achieved by major technical changes.
- No weaponisation equipment present.
- Location within the boundaries of the city of Vienna.

ANNEX: The main conclusions and findings

The final discussion round allowed all participants to offer comments and suggestions regarding the two-day visit, whereby these are grouped due to the topic and the respective team membership as follows:

A) DECLARATIONS AND BRIEFINGS

Visiting Team

- information offered in a declaration should be more specific and thereby offer more guidance for the composition, preparation and conduct of the visiting team
- actual terms used in the declaration format are misleading and ambiguous, so that information offered by different enterprises will lead to differing answers on the same questions, i.e. questions should be expanded and refined (e.g. term „triggered activity“ to be clarified in case of „triggered facility“)
- out-line of the company briefing should be best made available before the visit starts, or at least at an early stage of the visit
- briefings should be more focused on needs, and should not be too general; they are crucial as first opportunity to check the consistency of the declaration

Facility Team

- the declaration should encompass better description on the information sought, whereby a guide-line for filling it out would prove helpful
- more blank space should be available in the declaration format to fill out the questions
- the advance mailing of a general description of the facility to the national authority and the international organisation would seem useful in order to offer advance clarification
- the inclusion of more information on the site in the declaration , including detailed maps, might also prove useful

Home Team

- briefings proved to be crucial, whereby the national authority should best prepare a detailed check-list for national facilities in order to allow for in-depth preparedness
- information might also include the level of education of the staff in order to allow for adequate preparation of the visiting team

B) ACCESS AND AUDITING

Visiting team

- Review of documentation was not seen to be necessary to achieve transparency during the visit
- the access offered by the facility was foregone, as visual observation was satisfactory and access would have been time-consuming
- auditing was foregone, as the mandate did not encompass it, as it would have been also very time-consuming and was not necessary to reach the objectives of the visit

Facility Team

- regarding access, two strategies for the visiting team, and thereby also for the facility, seem to be possible: either to limit access to the triggered areas and concentrate on documentation, or to seek wider access and concentrate on documentation. Other inspection activities at the site normally centre on auditing and checking of documents.
- specific access during the visit did not prove burdensome, especially when comparing with all other forms of inspections and visits taking place throughout the year

Home Team

- the initial briefing proved central for the access sought in identifying the central areas of interest
- visit clearly showed that access and information offered can be quite limited without endangering the visit goals

C) Final report

Visiting Team

- no draft format of the final report was available, which made it difficult to elaborate both the elements of the draft report as well as the report itself
- some misunderstandings could only be clarified when discussing the report, i.e. differing understandings of the visiting team regarding information offered by the facility, so that the final meeting proved extremely useful
- the indication of time-frames accomplished should best follow a standard model, which would only necessitate filling out of blank spots (arriving in/at..)
- visiting team should best encompass a native speaker and a special note-taker, which should also write first draft of report

Facility Team

- better structure of the final report would also allow improvement of content
- it would be advisable to foresee daily wrap-up and a short report to falsify all understandings

National Authority

- structure of the report essential to allow for common understandings, whereby the mandate should be reproduced at its beginning followed by a summary; only then details of the visit should be added

D) Usefulness of the Trial Visit

Visiting team

- important lesson to be drawn for the actual negotiations in the AHG regarding visits, declaration formats, and others, as the practical exercise offered additional insight into the details of such visits
- in case of a clarification visit, a more confrontational attitude by all sides might be expected
- risk to loose confidential information was marginal till null

Facility Team

- no risk to loose confidential information was encountered throughout the visit
- wonder why production for clinic III phase must not be declared, as it represents same amounts as in normal production
- wonder why other industries (breweries, milk production) are not controlled
- satisfied about the fact that not too many staff members were needed throughout the exercise, in particular all other on-site activities were only marginally hampered
- positive that facility staff could familiarise with details of the rolling text and in particular sections on declaration, access and visits
- for a facility, it seems crucial to prepare accordingly for a possible visit, whereby the purpose of the visit and respective methods should be made known to industry at large
- the time-schedule of such a visit can be improved (facility visits, report writing, etc.)

Home Team

- support for the visiting team proved crucial, as thereby misunderstandings could be avoided
- advance preparation meetings between the national authority and the respective

facility are of utmost importance
