ECRIN
EUROPEAN CLINICAL RESEARCH INFRASTRUCTURE NETWORK

Regulatory and ethical requirements in medical devices studies

France

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

G. Ethics Committee

H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

SECTIONS

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A. Type of research

We have differentiated 8 types of research:

- Medical device alone with CE mark use within label
- Medical device alone with CE mark use outside label
- Medical device alone without CE mark
- Medical device combined with medicinal product with CE mark use within label
- Medical device combined with medicinal product with CE mark use outside label
- Medical device combined with medicinal product without CE mark
- Observational studies with medical device
- Registries

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B. Definitions/Legal basis

Definitions in French law

• Except for « Observational studies with medical device », there is no French definition for studies with medical devices.

B. Definitions/Legal basis

Conventions/guideline/laws to apply

- Declaration of Helsinki
- ICH Guideline of EMA
- European Directive 2011/20/EC ***(Only for studies with MD alone and observational studies)***
- Law 2004-806 of 9 aout 2004 (completed by decree 2006-477 du 26 avril 2006)
- ISO 14155:2011
- European Directive 90/385/EC and 93/42/EC

B. Definitions/Legal basis

Acts to apply

- Data protection act ***(Except for registries)***
- Genetical engineering act ***(Except for observational studies and registries)***

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C. Insurance

• For all the type of studies in exception of registries, an insurance must be contracted. It has to cover:

- Patients and /or healthy volunteers
- Investigators
- Sponsor

• It is not necessary that the insurance covers the manufacturer

• The compensation sums covered by the insurance depends of the protocol

SECTIONS

A.Type of research

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J. Specific requirements

D. Sponsor

It is mandatory to have a sponsor in all the interventional studies:

- Medical device alone with CE mark use within label
- Medical device alone with CE mark use outside label
- Medical device alone without CE mark
- Medical device combined with medicinal product with CE mark use within label
- Medical device combined with medicinal product with CE mark use outside label
- Medical device combined with medicinal product without CE mark

SECTIONS

A.Type of research

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C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

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H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

E. Investigators

• No French specific requirements/regulations for GCP training of the investigators

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

G. Ethics Committee

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I. Healthy volunteers/Patients

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F. Competent Authority

French Competent Authority:

ANSM
Agence national de sécurité du médicament et des produits de santé
143/147 Boulevard Anatole France
93285 Saint-Denis Cedex
+33 155 87 30 00
dedim.dm@ansm.sante.fr or EC.DM-COS@ansm.sante.fr

F. Competent Authority

	Approval	
	Yes	**No**
Medical device alone with CE mark use within label		x (if no risky exam)
Medical device alone with CE mark use outside label	x	
Medical device alone without CE mark	x	
Medical device combined with medicinal product with CE mark use within label	x	
Medical device combined with medicinal product with CE mark use outside label	x	
Medical device combined with medicinal product without CE mark	x	
Observational studies with medical device		x

F. Competent Authority – Initial submission

- When a submission is required, the sponsor is responsible of it
- The submission to the French Competent Authority is national: you only have to submit one dossier to the national competent authority
- The submission have to be:
  - by paper
  - or by email or CD-Rom
- English documents are accepted, at the exception of the protocol summary, the inform consent form and the information document for patient
- No submission fee

F. Competent Authority – Initial submission

- In general, 60 days maximum to obtain approval
- Implicit approval after 60 days without questions
- No deadlines for submission, you can submit anytime
- No need to have some kind of representative or a legal entity in France to submit an application to the Competent Authority if you are from the EU

F. Competant Authority – Initial submission

Main documents required for submission:

- Submission letter
- Clinical Trial application form
- Clinical Investigation Plan/Protocol
- Clinical Investigation Plan/Protocol summary
- Copies of advertisement materials for research participants
- Investigator's brochure or CE certificate
- Instruction for use/Technical manual
- Performance evaluation
- Pre-clinical evaluation
- Insurance certificate
- List of the Competent Authority where protocol was submitted with their decision if available
- Copy of the required authorization ("authorisation de lieu de recherche")

F. Competent Authority – Initial submission

A. Type of research
B. Definitions/Legal basis
C. Insurance
D. Sponsor
E. Investigators
F. Competent Authority
G. Ethics Committee
H. Data Protection
I. Healthy volunteers/Patients
J. Specific requirements

• Standard application form available on the ANSM's website:

ansm
Agence nationale de sécurité du médicament et des produits de santé

Formulaire 2

Courrier de demande d'autorisation de recherche biomédicale portant sur un dispositif médical ou un dispositif médical de diagnostic in vitro auprès de l'agence nationale de sécurité du médicament et des produits de Santé (ANSM)

DEMANDEUR	DESTINATAIRE
Organisme :	ANSM Direction des dispositifs médicaux thérapeutiques et des cosmétiques Essais cliniques 143-147 Boulevard Anatole France 93285 Saint-Denis cedex
Personne à contacter :	
Adresse :	
N°de téléphone :	
N°de télécopie :	
Adresse mél :	

Titre complet de la recherche	
Promoteur de la recherche	
Numéro d'enregistrement de la recherche biomédicale auprès de l'ANSM :	

Dossier initial ☐	Données manquantes après envoi du dossier initial ☐
Je souhaite recevoir l'accusé de réception par courriel :	☐
Si oui, à l'adresse électronique suivante :	
Fait le : / /	SIGNATURE :

F. Competent Authority - Vigilance

• SAE definition:

Any untoward medical occurrence or effect that at any dose:

- Result in death
- Is life threatening
- Requires hospitalisation or prolongation of existing hospitalisation
- Results in persistent or significant disability or incapacity
- Or is a congenital anomaly or birth defect

• SAE declaration by the sponsor:

- If life in danger: 7 days
- Other case: 15 days

• The sponsor has to declare events to the Competent Authorities in the specific countries

• The sponsor needs to provide to the Competent Authority an annual safety report

F. Competent Authority - Vigilance

A. Type of research
B. Definitions/Legal basis
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I. Healthy volunteers/Patients
J. Specific requirements

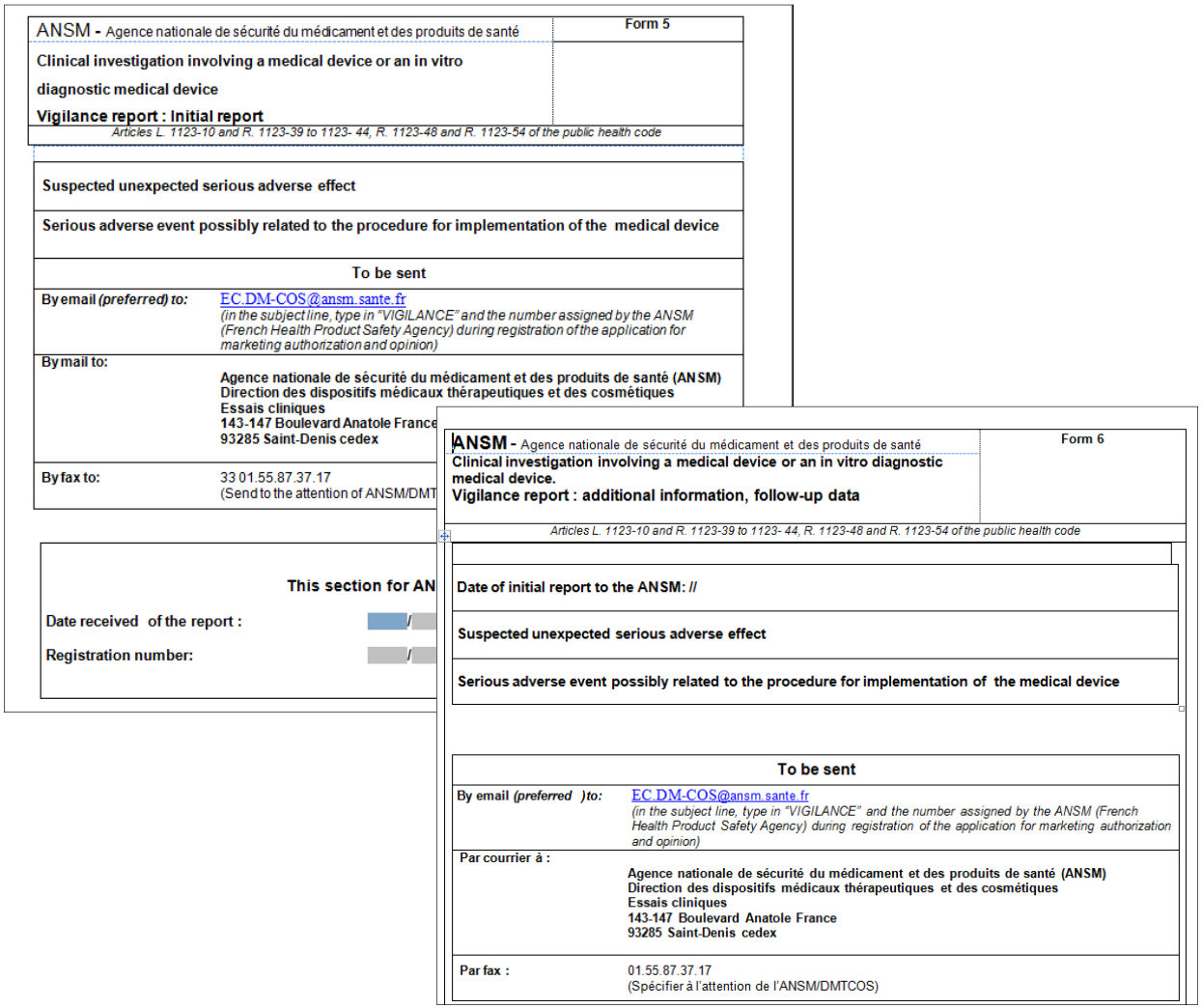
Events mandatory to declare to the Competent Authority:

	AE	ADE	SADE	SAE
Medical device alone with CE mark use within label			x	x
Medical device alone with CE mark use outside label			x	x
Medical device alone without CE mark			x	x
Medical device combined with medicinal product with CE mark use within label			x	x
Medical device combined with medicinal product with CE mark use outside label			x	x
Medical device combined with medicinal product without CE mark			x	x
Observational studies with medical device			x	x

AE: Adverse Event (Non device related)
ADE: Adverse Device Effect (Device or procedure related)
SADE: Serious adverse Device Effect (Device or procedure related)
SAE: Serious Adverse Event (Non device related)

F. Competent Authority - Vigilance

- The sponsor is responsible for the declaration to the Competent Authority
- Special form for the declaration of AE:



ANSM - Agence nationale de sécurité du médicament et des produits de santé — Form 5

Clinical investigation involving a medical device or an in vitro diagnostic medical device

Vigilance report : Initial report

Articles L. 1123-10 and R. 1123-39 to 1123- 44, R. 1123-48 and R. 1123-54 of the public health code

Suspected unexpected serious adverse effect

Serious adverse event possibly related to the procedure for implementation of the medical device

To be sent

By email *(preferred) to:* EC.DM-COS@ansm.sante.fr
(in the subject line, type in "VIGILANCE" and the number assigned by the ANSM (French Health Product Safety Agency) during registration of the application for marketing authorization and opinion)

By mail to: **Agence nationale de sécurité du médicament et des produits de santé (ANSM)**
Direction des dispositifs médicaux thérapeutiques et des cosmétiques
Essais cliniques
143-147 Boulevard Anatole France
93285 Saint-Denis cedex

By fax to: 33 01.55.87.37.17
(Send to the attention of ANSM/DMT

This section for AN

Date received of the report : /

Registration number: /

ANSM - Agence nationale de sécurité du médicament et des produits de santé — Form 6

Clinical investigation involving a medical device or an in vitro diagnostic medical device.

Vigilance report : additional information, follow-up data

Articles L. 1123-10 and R. 1123-39 to 1123- 44, R. 1123-48 and R. 1123-54 of the public health code

Date of initial report to the ANSM: //

Suspected unexpected serious adverse effect

Serious adverse event possibly related to the procedure for implementation of the medical device

To be sent

By email *(preferred)to:* EC.DM-COS@ansm.sante.fr
(in the subject line, type in "VIGILANCE" and the number assigned by the ANSM (French Health Product Safety Agency) during registration of the application for marketing authorization and opinion)

Par courrier à : **Agence nationale de sécurité du médicament et des produits de santé (ANSM)**
Direction des dispositifs médicaux thérapeutiques et des cosmétiques
Essais cliniques
143-147 Boulevard Anatole France
93285 Saint-Denis cedex

Par fax : 01.55.87.37.17
(Spécifier à l'attention de l'ANSM/DMTCOS)

F. Competent Authority - Notification

- It is not mandatory to notify the first patient enrolled to the Competent Authority

F. Competent Authority – Substantial amendment

• There is a specific procedure for submitting a substantial amendment to the Competent Authority

(Submission of a dossier and waiting for approval)

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

G. Ethics Committee

H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

G. Ethics Committee

40 Comités de Protection des Personnes (CPP) in France:

1 - ILE-DE-FRANCE

Région Ile-de-France : 11 CPP

IDF1	Comité de Protection des Personnes Ile-de-France I	Paris-Hotel Dieu
IDF2	Comité de Protection des Personnes Ile-de-France II	Paris-Necker
IFD3	Comité de Protection des Personnes Ile-de-France III	Paris-Cochin
IDF4	Comité de Protection des Personnes Ile-de-France IV	Paris-Saint-Louis
IDF5	Comité de Protection des Personnes Ile-de-France V	Paris-Saint-Antoine
IDF6	Comité de Protection des Personnes Ile-de-France VI	Pitié Salpétrière
IDF7	Comité de Protection des Personnes Ile-de-France VII	Paris Bicêtre
IDF8	Comité de Protection des Personnes Ile-de-France VIII	Boulogne Billancourt
IDF9	Comité de Protection des Personnes Ile-de-France IX	Henri Mondor
IDF10	Comité de Protection des Personnes Ile-de-France X	Aulnay sous bois
IDF11	Comité de Protection des Personnes Ile-de-France XI	St Germain en Laye

2 - NORD-OUEST

Inter-régions Nord-Ouest : 4 CPP (Régions : Nord Pas de Calais, Basse Normandie, Haute Normandie, Picardie)

NO1	Comité de Protection des Personnes Nord-Ouest I	Rouen
NO2	Comité de Protection des Personnes Nord-Ouest II	Amiens
NO3	Comité de Protection des Personnes Nord-Ouest III	Caen
NO4	Comité de Protection des Personnes Nord-Ouest IV	Lille

3 - OUEST

Inter-régions Ouest : 6 CPP (Régions : Bretagne, Centre, Pays de la Loire, Poitou Charantes)

O1	Comité de Protection des Personnes Ouest I	Tours
O2	Comité de Protection des Personnes Ouest II	Angers
O3	Comité de Protection des Personnes Ouest III	Poitiers
O4	Comité de Protection des Personnes Ouest IV	Nantes
O5	Comité de Protection des Personnes Ouest V	Rennes
O6	Comité de Protection des Personnes Ouest VI	Brest

G. Ethics Committee

A. Type of research

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I. Healthy volunteers/Patients

J. Specific requirements

4 - EST

Inter-régions Est : 4 CPP (Régions : Alsace, Bourgogne, Franche Comté, Lorraine)

E1	Comité de Protection des Personnes Est I	Dijon
E2	Comité de Protection des Personnes Est II	Besançon
E3	Comité de Protection des Personnes Est III	Nancy
E4	Comité de Protection des Personnes Est IV	Stasbourg

5 - SUD-EST

Inter-régions Sud-Est : 6 CPP (Régions : Auvergne, Rhône Alpes)

SE1	Comité de Protection des Personnes Sud-Est I	Saint-Etienne
SE2	Comité de Protection des Personnes Sud-Est II	Lyon A
SE3	Comité de Protection des Personnes Sud-Est III	Lyon B
SE4	Comité de Protection des Personnes Sud-Est IV	Lyon -CLB
SE5	Comité de Protection des Personnes Sud-Est V	Grenoble
SE6	Comité de Protection des Personnes Sud-Est VI	Clermont-Ferrand

6 - SUD-MÉDITERRANÉE

Inter-régions Sud-Méditerranée : 5 CPP (Régions : Languedoc Roussillon, Provence Alpes Côte d'Azur)

SM1	Comité de Protection des Personnes Sud-Méditerranée I	Marseille I
SM2	Comité de Protection des Personnes Sud-Méditerranée II	Marseille II
SM3	Comité de Protection des Personnes Sud-Méditerranée III	Nimes
SM4	Comité de Protection des Personnes Sud-Méditerranée IV	Montpellier
SM5	Comité de Protection des Personnes Sud-Méditerranée V	Nice

7 - SUD-OUEST ET OUTRE-MER

Inter-régions Sud-Ouest et Outre-Mer : 4 CPP (Régions : Aquitaine, Limousin, Midi Pyrénées)

SOOM1	Comité de Protection des Personnes Sud-Ouest et Outre-Mer I	Toulouse I
SOOM2	Comité de Protection des Personnes Sud-Ouest et Outre-Mer II	Toulouse II
SOOM3	Comité de Protection des Personnes Sud-Ouest et Outre-Mer III	Bordeaux
SOOM4	Comité de Protection des Personnes Sud-Ouest et Outre-Mer IV	Limoges

G. Ethics Committee

	Positive opinion required	
	Yes	**No**
Medical device alone with CE mark use within label	x	
Medical device alone with CE mark use outside label	x	
Medical device alone without CE mark	x	
Medical device combined with medicinal product with CE mark use within label	x	
Medical device combined with medicinal product with CE mark use outside label	x	
Medical device combined with medicinal product without CE mark	x	
Observational studies with medical device	x	

G. Ethics Committee – Initial submission

• When a submission is required, the sponsor is responsible of it

• The submission to the Ethics Committee is local: you only have to submit one dossier **to one of the regional Ethics Committee in the region of the Principal Investigator**

• The submission have to be:

- by paper (usually many copies)

- and/or by email or CD-Rom

• English documents are accepted, at the exception of the protocol summary, the inform consent form, the information document for patient and additional document

• No submission fee

G. Ethics Committee – Initial submission

- In general, 35-60 days to obtain approval
- No implicit approval
- Deadlines for submissions, once per month in each EC (different dates for each EC)
- When both Competent Authority approval and Ethics Committee positive opinion are required, it is possible to request the 2 (authorization and approval) in parallel
- No need to have some kind of representative or a legal entity in France to submit an application to the Competent Authority or Ethics Committee if you are from the EU

G. Ethics Committee – Initial submission

Main documents required for submission:

Submission letter

- Clinical Trial application form
- Clinical Investigation Plan/Protocol
- Clinical Investigation Plan/Protocol summary
- Inform Consent Form and subject Information leaflet
- CV of PIs
- Copie of advertisement materials for research participant
- Investigator's brochure or CE certificate
- Instruction for use/Technical manual
- Insurance certificate
- List of the CA where protocol was submitted with their decision if available
- Copy of the required authorization ("authorisation de lieu de recherche")
- Additional document

G. Ethics committee – Initial submission

A. Type of research
B. Definitions/Legal basis
C. Insurance
D. Sponsor
E. Investigators
F. Competent Authority
G. Ethics Committee
H. Data Protection
I. Healthy volunteers/Patients
J. Specific requirements

- Use the same standard application form that for the Competent Authority
- Standard application form available on the ANSM's website:

ansm
Agence nationale de sécurité du médicament et des produits de santé

Formulaire 2

Courrier de demande d'autorisation de recherche biomédicale portant sur un dispositif médical ou un dispositif médical de diagnostic in vitro auprès de l'agence nationale de sécurité du médicament et des produits de Santé (ANSM)

DEMANDEUR	DESTINATAIRE
Organisme :	ANSM Direction des dispositifs médicaux thérapeutiques et des cosmétiques Essais cliniques 143-147 Boulevard Anatole France 93285 Saint-Denis cedex
Personne à contacter :	
Adresse :	
N°de téléphone :	
N°de télécopie :	
Adresse mél :	

Titre complet de la recherche	
Promoteur de la recherche	
Numéro d'enregistrement de la recherche biomédicale auprès de l'ANSM :	

Dossier initial ☐	Données manquantes après envoi du dossier initial ☐
Je souhaite recevoir l'accusé de réception par courriel : ☐	
Si oui, à l'adresse électronique suivante :	
Fait le : / /	SIGNATURE :

G. Ethics Committee - Vigilance

- SAE declaration by the sponsor:
  - If life in danger: 7 days
  - Other case: 15 days

- The sponsor also has to declare events to the Ethics Committee in the specific countries

- The sponsor needs to provide to the Ethics Committee an annual safety report

G. Ethics Committee - Vigilance

Events mandatory to declare to the competent authority:

	AE	ADE	SADE	SAE
Medical device alone with CE mark use within label			x	
Medical device alone with CE mark use outside label			x	
Medical device alone without CE mark			x	
Medical device combined with medicinal product with CE mark use within label			x	x
Medical device combined with medicinal product with CE mark use outside label			x	x
Medical device combined with medicinal product without CE mark			x	x
Observational studies with medical device			x	

AE: Adverse Event (Non device related)
ADE: Adverse Device Effect (Device or procedure related)
SADE: Serious adverse Device Effect (Device or procedure related)
SAE: Serious Adverse Event (Non device related)

G. Ethics Committee - Vigilance

- The sponsor is responsible for the declaration to the Ethics Committee
- No special form for the declaration of AE, possible to use the Competent Authority's form:

ANSM - Agence nationale de sécurité du médicament et des produits de santé — Form 5

Clinical investigation involving a medical device or an in vitro diagnostic medical device

Vigilance report : Initial report

Articles L. 1123-10 and R. 1123-39 to 1123- 44, R. 1123-48 and R. 1123-54 of the public health code

Suspected unexpected serious adverse effect

Serious adverse event possibly related to the procedure for implementation of the medical device

To be sent

By email *(preferred)* to:	EC.DM-COS@ansm.sante.fr *(in the subject line, type in "VIGILANCE" and the number assigned by the ANSM (French Health Product Safety Agency) during registration of the application for marketing authorization and opinion)*
By mail to:	**Agence nationale de sécurité du médicament et** **Direction des dispositifs médicaux thérapeutiqu** **Essais cliniques** **143-147 Boulevard Anatole France** **93285 Saint-Denis cedex**
By fax to:	33 01.55.87.37.17 (Send to the attention of ANSM/DMTCOS)

This section for ANSM only

Date received of the report : / /

Registration number: / / /ei

ANSM - Agence nationale de sécurité du médicament et des produits de santé — Form 6

Clinical investigation involving a medical device or an in vitro diagnostic medical device.

Vigilance report : additional information, follow-up data

Articles L. 1123-10 and R. 1123-39 to 1123- 44, R. 1123-48 and R. 1123-54 of the public health code

Date of initial report to the ANSM: //

Suspected unexpected serious adverse effect

Serious adverse event possibly related to the procedure for implementation of the medical device

To be sent

By email *(preferred)to:*	EC.DM-COS@ansm.sante.fr *(in the subject line, type in "VIGILANCE" and the number assigned by the ANSM (French Health Product Safety Agency) during registration of the application for marketing authorization and opinion)*
Par courrier à :	**Agence nationale de sécurité du médicament et des produits de santé (ANSM)** **Direction des dispositifs médicaux thérapeutiques et des cosmétiques** **Essais cliniques** **143-147 Boulevard Anatole France** **93285 Saint-Denis cedex**
Par fax :	01.55.87.37.17 (Spécifier à l'attention de l'ANSM/DMTCOS)

G. Ethics Committee - Notification

- It is not mandatory to notify the first patient enrolled to the Ethics Committee

G. Ethics Committee – Substantial amendment

• There is a specific procedure for submitting a substantial amendment to the Ethics Committee

(Submission of a dossier and waiting for approval)

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

G. Ethics Committee

H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

H. Data Protection

French Data Protection:

CNIL
(Commission Nationale de l'Informatique et des Liberté)
8 rue vivienne
75083 Paris cedex 02
Tel : +33 153 73 22 22 / Fax : +33 153 73 22 00

H. Data Protection

	Notification required	
	Yes	No
Medical device alone with CE mark use within label	x	
Medical device alone with CE mark use outside label	x	
Medical device alone without CE mark	x	
Medical device combined with medicinal product with CE mark use within label	x	
Medical device combined with medicinal product with CE mark use outside label	x	
Medical device combined with medicinal product without CE mark	x	
Observational studies with medical device	x	

H. Data Protection

- Submission in French only
- No submission fee
- Online submission

SECTIONS

A.Type of research

B. Definitions/Legal basis

C. Insurance

D. Sponsor

E. Investigators

F. Competent Authority

G. Ethics Committee

H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

I. Healthy volunteers/Patients

• In France, there are specific requirements/regulations for specific population:

- Children
- Pregnant women
- Lactating women
- Adults protected by the law

I. Healthy volunteers/Patients

• Healthy volunteers participating in clinical research have to be compensated (not mandatory for patients, but possible)

• National healthy volunteers registry: VRB

• Obligation to inform the healthy volunteers/patients on the outcomes of the study if she/he asks

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G. Ethics Committee

H. Data Protection

I. Healthy volunteers/Patients

J. Specific requirements

J. Specific requirements

- No specific requirements to publish both positive and negative results of clinical studies in scientific journals

- Specific requirements/regulations regarding the ICF: **needs to be given in writing**

- Specific requirements/regulations regarding archiving of documentation: **15 years**

- Specific requirements regarding blood/tissue samples (circulation and storage) – Additional forms to submit the Competent Authority

J. Specific requirements

- No specific requirements for data management

- No specific strategies for monitoring

- Mandatory to register clinical studies which include medicinal product in a registry managed by the Competent Authority

- Accreditation process for research centres (“Code de santé publique” article R1121-11 to article R1121-16)