Australian Government
Department of Health
Therapeutic Goods Administration

TRIM Ref: D20-3012637

Ms Helena Smirnis

By Email: sirendoll0@gmail.com

Dear Ms Smirnis

FREEDOM OF INFORMATION REQUEST FOI 1829
Notice of Decision

I refer to your request dated 10 July 2020 under the *Freedom of Information Act 1982* (the FOI Act) for access to the following documents:

> *"Any Safety Study Test that the TGA relied upon in order to approve and register the HPV vaccine named Gardasil 9, where this study compared the safety of Gardasil 9 to the safety of a true Saline Placebo where the Placebo consisted only of Saline and nothing else."*

I am the Therapeutic Goods Administration (TGA) officer authorised to make this decision under section 23 of the FOI Act. What follows is my decision under the FOI Act.

Decision

I am notifying you of my decision under section 24A of the FOI Act to refuse your request for access as the documents you have requested do not exist. In this instance, I offer you the following information.

Placebo-controlled clinical trials for vaccines

Many 'new' vaccines that are brought to market are updated versions of established vaccines and/or protect against several diseases or strains by combining already established antigens into one vaccine. In these circumstances, there are ethical reasons for why it may not be appropriate to conduct placebo controlled studies. Specifically, it may be considered harmful to deprive participants of an effective, existing vaccine in order to conduct a placebo controlled trial. For this reason, placebo-controlled trials must be carefully considered and carried out with appropriate approvals only in specific situations.

Often in situations where the use of a placebo control is appropriate, the *de facto* placebo is in fact another vaccine or vaccine adjuvant (inactive ingredient) which acts as a placebo control because it does not contain the active antigens of the new experimental vaccine.

Gardasil was first approved in 2006 as a tetravalent vaccine. The dataset included six placebo 5 Amorphous Aluminium Hydroxyphosphate Sulfate (AAHS) controlled double blind trials, as noted on page 12/29 of the PI. The AAHS-Control is the vaccine adjuvant (inactive ingredient) but without the active Human Papilloma Virus (HPV) antigens so that it is in fact acting as a placebo control.

In 2015, five more antigens were added to Gardasil, resulting in the approval of Gardasil 9. You will note that all original Gardasil data also applies to Gardasil 9, Furthermore, page 14/29 of the PI states:

> *"…Efficacy and/or immunogenicity of the three dose regimen of GARDASIL 9 were assessed in seven clinical studies. Clinical studies evaluating the efficacy of GARDASIL 9 against placebo were not acceptable because HPV vaccination represents the standard of care for protection against HPV infection and disease in many countries. Therefore, the pivotal clinical study (Protocol 001) evaluated the efficacy of GARDASIL 9 to prevent HPV-related cervical, vulvar, and vaginal disease using GARDASIL as a comparator…"*

The TGA rigorously assesses vaccines for safety, quality and efficacy before they can be used in Australia. Vaccines receive the same high level of scrutiny as other prescription medicines and related therapeutic goods. Vaccines as well as a number of critical medicines require special precursors and techniques during manufacture and are therefore classified as 'biological medicines'. This classification confers additional requirements on their quality, safety and efficacy specifications as well as supply. For example, each batch of a vaccine needs to be tested prior to release to the Australian market – a requirement, which is unique to vaccines.

As with all prescription medicines, the TGA carefully assesses the results of all clinical trials for all medicines, and scrutinises the way in which trials are conducted. We require well-designed trials of a sufficient length with a sufficient number of people who represent the people for whom the vaccine is intended. The results must demonstrate that the benefits of the vaccine greatly outweigh the risks.

Additionally, the TGA's decision of whether to register a vaccine for use in Australia is informed by the advice of the Advisory Committee on Vaccines (ACV). The ACV is an independent committee appointed by the Australian Government Minister for Health. It is composed of members with expertise in science, medicine and public health.

The TGA also monitors vaccines for safety after they are supplied in Australia. We receive adverse event reports from consumers, health professionals, the companies who supply vaccines, and state and territory health departments. We publish these reports in the publically available Database of Adverse Event Notifications (DAEN). Reporting serious adverse events is mandatory for the companies who supply vaccines in Australia. These companies must also develop and implement risk management plans for their vaccines.

Reasons for Decision

Section 24A of the FOI Act states that requests may be refused if all reasonable steps have been taken to find a document and the document does not exist. The relevant electronic databases, files and corporate file lists in the TGA have been searched for the documents you have requested, and following these searches I am satisfied that all reasonable steps have been taken to find the documents requested and that the documents you have requested do not exist.

Review and Complaint Rights

If you are not satisfied with this decision, you can either seek internal review or apply to the OAIC for review of the decision. Further information can be found on the OAIC website at the following link: www.oaic.gov.au/freedom-of-information/reviews-and-complaints/

If you have any queries regarding this matter, please contact the FOI Team on (02) 6289 4630.

Yours sincerely

Authorised and electronically signed by

Elizabeth Santolin
Director
Prescription Medicines Authorisation Branch
Therapeutic Goods Administration
30 July 2020