

## § 330.2

(21) “Within”.

[39 FR 11741, Mar. 29, 1974, as amended at 40 FR 11718, Mar. 13, 1975; 40 FR 13496, Mar. 27, 1975; 42 FR 15674, Mar. 22, 1977; 46 FR 8459, Jan. 27, 1981; 50 FR 8996, Mar. 6, 1985; 51 FR 16266, May 1, 1986; 55 FR 11581, Mar. 29, 1990; 59 FR 4000, Jan. 28, 1994; 59 FR 14365, Mar. 28, 1994; 64 FR 13294, Mar. 17, 1999; 68 FR 24879, May 9, 2003]

### § 330.2 Pregnancy-nursing warning.

A pregnancy-nursing warning for OTC drugs is set forth under §201.63 of this chapter.

[47 FR 54758, Dec. 3, 1982]

### § 330.3 Imprinting of solid oral dosage form drug products.

A requirement to imprint an identification code on solid oral dosage form drug products is set forth under part 206 of this chapter.

[58 FR 47959, Sept. 13, 1993]

### § 330.5 Drug categories.

Monographs promulgated pursuant to the provisions of this part shall be established in this part 330 and following parts and shall cover the following designated categories:

- (a) Antacids.
- (b) Laxatives.
- (c) Antidiarrheal products.
- (d) Emetics.
- (e) Antiemetics.
- (f) Antiperspirants.
- (g) Sunburn prevention and treatment products.
- (h) Vitamin-mineral products.
- (i) Antimicrobial products.
- (j) Dandruff products.
- (k) Oral hygiene aids.
- (l) Hemorrhoidal products.
- (m) Hematinics.
- (n) Bronchodilator and antiasthmatic products.
- (o) Analgesics.
- (p) Sedatives and sleep aids.
- (q) Stimulants.
- (r) Antitussives.
- (s) Allergy treatment products.
- (t) Cold remedies.
- (u) Antirheumatic products.
- (v) Ophthalmic products.
- (w) Contraceptive products.
- (x) Miscellaneous dermatologic products.
- (y) Dentifrices and dental products such as analgesics, antiseptics, etc.

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(z) Miscellaneous (all other OTC drugs not falling within one of the above therapeutic categories).

### Subpart B—Administrative Procedures

#### § 330.10 Procedures for classifying OTC drugs as generally recognized as safe and effective and not misbranded, and for establishing monographs.

For purposes of classifying over-the-counter (OTC) drugs as drugs generally recognized among qualified experts as safe and effective for use and as not misbranded drugs, the following regulations shall apply:

(a) *Procedure for establishing OTC drug monographs*—(1) *Advisory review panels.* The Commissioner shall appoint advisory review panels of qualified experts to evaluate the safety and effectiveness of OTC drugs, to review OTC drug labeling, and to advise him on the promulgation of monographs establishing conditions under which OTC drugs are generally recognized as safe and effective and not misbranded. A single advisory review panel shall be established for each designated category of OTC drugs and every OTC drug category will be considered by a panel. The members of a panel shall be qualified experts (appointed by the Commissioner) and may include persons from lists submitted by organizations representing professional, consumer, and industry interests. The Commissioner shall designate the chairman of each panel. Summary minutes of all meetings shall be made.

(2) *Request for data and views.* The Commissioner will publish a notice in the FEDERAL REGISTER requesting interested persons to submit, for review and evaluation by an advisory review panel, published and unpublished data and information pertinent to a designated category of OTC drugs. Data and information submitted pursuant to a published notice, and falling within the confidentiality provisions of 18 U.S.C. 1905, 5 U.S.C. 552(b), or 21 U.S.C. 331(j), shall be handled by the advisory review panel and the Food and Drug Administration as confidential until publication of a proposed monograph and the full report(s) of the panel or