



Australian Government

Department of Health, Disability and Ageing
Office of the Gene Technology Regulator

Licence for dealings involving an intentional release of a GMO into the environment

Licence number: DIR 217

Licence holder: Ferring Pharmaceuticals Pty Ltd

Commercial supply of nadofaragene firadenovec for bladder cancer treatment tolerance

Issued: 17 October 2025

Office of the Gene Technology Regulator

Gene Technology Regulation in Australia

Australia's gene technology regulatory system operates as part of an integrated legislative framework. The *Gene Technology Act 2000* (Cth) (the Act) and corresponding state and territory legislation form part of a nationally consistent regulatory system controlling the development and use of genetically modified (GM) organisms.

This licence is issued by the Gene Technology Regulator (the Regulator) in accordance with the Act and, as applicable, corresponding State law.

The Regulator is required to consult with, and take into account advice from, a range of key stakeholders, including other regulatory authorities, on risks to human health and safety and to the environment in assessing applications for dealings involving the intentional release of GM organisms into the Australian environment.

Other agencies that also regulate GM organisms or GM products include Food Standards Australia New Zealand, Australian Pesticides and Veterinary Medicines Authority, Therapeutic Goods Administration, Australian Industrial Chemicals Introduction Scheme and the Department of Agriculture, Fisheries and Forestry. Dealings conducted under any licence issued by the Regulator may also be subject to regulation by one or more of these agencies. It is recommended that the licence holder consult the relevant agency (or agencies) about their regulatory requirements.

The licence authorises the licence holder and persons covered by the licence to conduct specified dealings with the GM organism(s) listed in **Attachment A** of this licence.

Further Information on Licence DIR 217

More information about the decision to issue this licence is contained in the Risk Assessment and Risk Management Plan prepared in connection with this licence. This document can be obtained from the Office of the Gene Technology Regulator (OGTR) website or by telephoning the Office on 1800 181 030.

CONDITIONS OF THIS LICENCE

Section 1 Interpretations and Definitions

1. In this licence:

- (a) unless defined otherwise in this licence, words and phrases used in this licence have the same meaning as they do in the Act and the Regulations;
- (b) words importing a gender include every other gender;
- (c) words in the singular number include the plural and words in the plural number include the singular;
- (d) expressions used to denote persons generally (such as “person”, “party”, “someone”, “anyone”, “no one”, “one”, “another” and “whoever”), include a body politic or corporate as well as an individual;
- (e) references to any statute or other legislation (whether primary or subordinate) are a reference to a statute or other legislation of the Commonwealth of Australia as amended or replaced from time to time and equivalent provisions, if any, in corresponding State law, unless the contrary intention appears;
- (f) where a word or phrase is given a particular meaning, other grammatical forms of that word or phrase have corresponding meanings;
- (g) specific conditions prevail over general conditions to the extent of any inconsistency.

2. In this licence:

‘Act’ means the *Gene Technology Act 2000* (Cth) or the corresponding State legislation under which this licence is issued.

‘Annual Report’ means a written report provided to the Regulator by the end of September each year containing all the information required by this licence to be provided in the Annual Report.

‘ARTG’ means the Australian Register of Therapeutic Goods maintained in accordance with the *Therapeutic Goods Act 1989*.

‘GM’ means genetically modified.

‘GMO’ means the genetically modified organism that is the subject of the dealings authorised by this licence.

‘NLRD’ is a Notifiable low risk dealing. Dealings conducted as an NLRD must be assessed by an institutional biosafety committee (IBC) before commencement and must comply with the requirements of the Gene Technology Regulations 2001.

‘OGTR’ means the Office of the Gene Technology Regulator.

‘Regulations’ means the Gene Technology Regulations 2001 (Commonwealth) or the corresponding State law under which this licence is issued.

‘Regulator’ means the Gene Technology Regulator.

Section 2 Licence conditions and obligations

- 3. This licence remains in force until it is suspended, cancelled or surrendered. No dealings with the GMO are authorised during any period of suspension.
- 4. The licence holder is Ferring Pharmaceuticals Pty Ltd.
- 5. Any person, including the licence holder, may conduct any permitted dealing(s) with the GMO.
- 6. The dealings authorised by this licence are:

- (a) import of the GMO;
- (b) transport of the GMO;
- (c) disposal of the GMO;

and the possession (including storage) and supply of the GMO for the purposes of, or in the course of, any of these dealings.

Note: Use of the GMO for therapeutic purposes is not covered by the Gene Technology Act 2000 and therefore this licence is not required to authorise such use. The GMO is also subject to regulation by other federal and state departments and agencies, including the Therapeutic Goods Administration and the Department of Agriculture, Fisheries and Forestry. These other departments and agencies may impose further requirements for, or limitations on, the use of the GMO for these dealings.

7. This licence does not apply to dealings with the GMO conducted as a Notifiable Low Risk Dealing (NLRD) or pursuant to another authorisation issued under the Act.

Note: Dealings conducted as an NLRD must be assessed by an Institutional Biosafety Committee (IBC) before commencement and must comply with the requirements of the Regulations.

8. Dealings with the GMO authorised by this licence may be conducted in all areas of Australia.
9. The licence authorises dealings with the GMO described in **Attachment A**.

2.1 General obligations of the licence holder

10. The licence holder must immediately notify the Regulator if any of its contact details change.

Note: Please address correspondence to OGTR.Applications@health.gov.au.

Prior to issuing a licence, the Regulator considers suitability of the applicant to hold a licence. The following conditions address ongoing suitability of the licence holder.

11. The licence holder must:

- (a) inform the Regulator immediately, in writing, of:
 - i. any relevant conviction of the licence holder; or
 - ii. any revocation or suspension of a licence or permit held by the licence holder under a law of the Australian Government, a State or a foreign country, being a law relating to the health and safety of people or the environment; or
 - iii. any event or circumstances that would affect the capacity of the licence holder to meet the conditions in it; and
- (b) provide any information related to the licence holder's ongoing suitability to hold a licence, if requested by the Regulator, within the timeframe stipulated by the Regulator.

12. The licence holder must inform any person covered by this licence, to whom a particular condition of the licence applies, of the following:

- (a) the particular condition (including any variations of it); and
- (b) the cancellation or suspension of the licence; and
- (c) the surrender of the licence.

13. The licence holder must ensure that patients are instructed to disinfect voided urine for two days following treatment with the GMO. Patients must be provided written instructions to add half a cup of household bleach to the toilet bowl prior to urinating and wait 15 minutes before flushing.

2.2 Provision of new information to the Regulator

Licence conditions are based on the risk assessment and risk management plan developed in relation to the application using information available at the time of assessment. The following condition requires that any new information that may affect the risk assessment is communicated to the Regulator.

14. The licence holder must inform the Regulator if the licence holder becomes aware of:

- (a) additional information as to any risks to the health and safety of people, or to the environment, associated with the dealings authorised by the licence; or
- (b) any contraventions of the licence by a person covered by the licence; or
- (c) any unintended effects of the dealings authorised by the licence.

Note: The Act requires, for the purposes of the above condition, that:

- (a) the licence holder will be taken to have become aware of additional information of a kind mentioned in condition 14 if he or she was reckless as to whether such information existed; and*
- (b) the licence holder will be taken to have become aware of contraventions, or unintended effects, of a kind mentioned in condition 14, if he or she was reckless as to whether such contraventions had occurred, or such unintended effects existed.*

Note: Contraventions of the licence may occur through the action or inaction of a person.

15. If the licence holder is required to inform the Regulator under condition 14, the Regulator must be informed immediately.

Note: An example of informing immediately is contact made at the time of the incident via the OGTR free call phone number 1800 181 030 or email to OGTR.M&C@health.gov.au.

16. If at any time the Regulator requests the licence holder to collect and provide information about any matter to do with the progress of the dealings authorised by this licence, including but not confined to:

- (a) additional information as to any risks to the health and safety of people, or to the environment, associated with the dealings authorised by the licence, whether or not the licence holder has provided information to the Regulator under condition 14(a);
- (b) any contraventions of the licence by a person covered by the licence, whether or not the licence holder has provided information to the Regulator under condition 14(b);
- (c) any unintended effects of the dealings authorised by the licence, whether or not the licence holder has provided information to the Regulator under condition 14(c);
- (d) research, including by way of survey, to verify predictions of the risk assessment, or for any purpose related to risks to the health and safety of people, or to the environment;
- (e) scientific literature and reports in respect of the GMO authorised by this licence, for a nominated period; and
- (f) details of any refusals of applications for licences or permits (however described) to deal with the GMO made pursuant to the regulatory laws of a foreign country;

and the request is reasonable, having regard to consistency with the Act and relevance to its purpose, then the licence holder must collect the information and provide it to the Regulator at a time and in the manner requested by the Regulator.

Note: The Regulator may invite the licence holder to make a submission on the reasonability of a request by the Regulator to collect and provide information relevant to the progress of the dealings with the GMO.

2.3 Obligations of persons covered by the licence

17. If a person is authorised by this licence to deal with the GMO and a particular condition of this licence applies to the dealing by that person, the person must allow the Regulator, or a person authorised by the

Regulator, to enter premises where the dealing is being undertaken, for the purposes of auditing or monitoring the dealing.

Section 3 Reporting and documentation requirements

3.1 Notification of authorisation by the Therapeutic Goods Administration

18. If the GMO is included on the ARTG, the licence holder must notify the Regulator in writing within 14 days of inclusion.

19. The licence holder must notify the Regulator in writing of any subsequent amendments to the conditions of the ARTG inclusion involving the pattern of usage, handling, storage, transport, or disposal of the GMO, within 14 days of the change occurring.

3.2 Annual report

20. The licence holder must provide an Annual Report to the Regulator by the end of September each year covering the previous financial year. An Annual Report must include:

- (a) information about any adverse impacts, unintended effects, or new information relating to risks, to human health and safety or the environment caused by the GMO or material from the GMO; and
- (b) information about the numbers of the GM therapeutic doses imported and distributed to each State and Territory.

Note: Please address correspondence to OGTR.M&C@health.gov.au.

3.3 Testing methodology

21. At least 14 days prior to conducting any dealings with the GMO, the licence holder must provide to the Regulator a written methodology to reliably detect the GMO, or the presence of the genetic modifications described in **Attachment A** in a recipient organism or environmental sample. The detection method(s) must be capable of identifying, to the satisfaction of the Regulator, the GMO described in **Attachment A**.

Note: Please address correspondence to OGTR.M&C@health.gov.au.

ATTACHMENT A

DIR No: 217

Full Title: Commercial supply of nadofaragene firadenovec for bladder cancer treatment

Licence Holder: Ferring Pharmaceuticals Pty Ltd

GMO Description

GMOs covered by this licence

Human adenovirus C serotype 5 modified by deleting specific gene sequences to improve safety and replacing a deleted gene sequence with a human interferon alfa-2b (*hIFN-α2b*) gene expression cassette. The identities of the deleted gene sequences and the regulatory elements included in the *hIFN-α2b* gene expression cassette have been declared Confidential Commercial Information (CCI) under s185 of the Act.

Parent Organism

Common Name: Human adenovirus

Scientific Name: Human adenovirus C serotype 5

Modified traits

Category: Human therapeutic

Description: The adenovirus has been modified by deleting specific gene sequences to improve safety and carries a *hIFN-α2b* gene for the treatment of adult patients with high-grade Bacillus Calmette-Guérin (BCG)-unresponsive non-muscle invasive bladder cancer.