

# Department of Health and Human Services

## Part 1. Overview Information

<b>Participating Organization(s)</b>	<p>U.S. Food and Drug Administration (<a href="#">FDA</a>)</p> <p>The policies, guidelines, terms, and conditions stated in this announcement may differ from those used by the NIH. Where this Funding Opportunity Announcement (FOA) provides specific written guidance that may differ from the general guidance provided in the grant application form, please follow the instructions given in this FOA.</p> <p>The FDA does not follow the NIH Page Limitation Guidelines or the NIH Review Criteria. Applicants are encouraged to consult with FDA <a href="#">Agency Contacts</a> for additional information regarding page limits and the FDA Objective Review Process.  </p> <p> </p>
<b>Components of Participating Organizations</b>	<p>Center for Food Safety and Applied Nutrition (<a href="#">CFSAN</a>)  </p>
<b>Funding Opportunity Title</b>	<p><b>Research, Education, and Outreach on Botanical Natural Products (U01)</b></p>
<b>Activity Code</b>	<p><a href="#">U01</a> Research Project – Cooperative Agreements</p>
<b>Announcement Type</b>	<p>Renewal  </p>
<b>Related Notices</b>	<p>None</p>
<b>Funding Opportunity Announcement (FOA) Number</b>	<p><b>RFA-FD-16-014</b>  </p>
<b>Companion Funding Opportunity</b>	<p>None</p>

<b>Number of Applications</b>	See <a href="#">Section III. 3. Additional Information on Eligibility.</a>
<b>Catalog of Federal Domestic Assistance (CFDA) Number(s)</b>	[ 93.103 ]
<b>Funding Opportunity Purpose</b>	<p>[ The Food and Drug Administration (FDA) is announcing its intention to receive and consider a cooperative agreement with the University of Mississippi (UM) to support the National Center for Natural Products Research (NCNPR). The purpose of this partnership with NCNPR will be to promote more efficient development and dissemination of natural products research and science and will complement the diverse activities of both the public and private sectors.</p> <p>Specifically, this cooperative agreement will provide continued support in order that UM-NCNPR can continue to: (1) assist in the identification and development of a prioritized list of botanical ingredients based on safety concerns, trends and knowledge of botanical ingredients in foods, dietary supplements, and cosmetics marketed in the U.S.; (2) acquire, validate and characterize authenticated reference materials, including raw and processed plant materials and purified natural products of relevance to FDA for evaluation of safety; (3) exchange technical and scientific information, methods and reference material with FDA scientists and other stakeholders; (4) collaborate with FDA scientists in research areas of mutual interest; (5) coordinate scientific workshops and conferences on botanical topics of public health relevance to address high priority science and research needs.</p>

## Key Dates

<b>Posted Date</b>	
<b>Open Date (Earliest Submission Date)</b>	[ February 29, 2016 ]
<b>Letter of Intent Due Date(s)</b>	[ Not Applicable ]
<b>Application Due Date(s)</b>	[ April 29, 2016 ], by 11:59 PM Eastern Time. Applicants are encouraged to apply early to allow adequate time to

	<p>make any corrections to errors found in the application during the submission process by the due date.</p> <p>Applicants should be aware that on-time submission means that an application is submitted error free (of both Grants.gov and eRA Commons errors) by 11:59 PM Eastern Time on the application due date.</p> <p><b>Late applications will not be accepted for this FOA.</b></p>
<b>AIDS Application Due Date(s)</b>	[Not Applicable ]
<b>Scientific Merit Review</b>	[June 2016 ]
<b>Advisory Council Review</b>	[Not Applicable ]
<b>Earliest Start Date</b>	[September 2016 ]
<b>Expiration Date</b>	[April 30, 2016]
<b>Due Dates for E.O. 12372</b>	[Not Applicable]

### Required Application Instructions

It is critical that applicants follow the instructions in the [SF424 \(R&R\) Application Guide](#), except where instructed to do otherwise (in this FOA or in a Notice from the [NIH Guide for Grants and Contracts](#)). Conformance to all requirements (both in the Application Guide and the FOA) is required and strictly enforced. Applicants must read and follow all application instructions in the Application Guide as well as any program-specific instructions noted in [Section IV](#). When the program-specific instructions deviate from those in the Application Guide, follow the program-specific instructions.

**Applications that do not comply with these instructions may be delayed or not accepted for review.**

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## Part 2. Full Text of Announcement

### Section I. Funding Opportunity Description

The primary focus of the UM-NCNPR/FDA collaborative agreement is to develop and disseminate botanical natural product research with an emphasis on public safety according to the needs of the FDA. The cooperative research, education, and outreach programs developed by UM-NCNPR will address scientific issues related to the safety of botanical ingredients in foods, dietary supplements, and cosmetics and is designed to complement the diverse activities of both the public and private sectors.

This cooperative agreement will define the research projects, workshops, conferences, partnerships with academia, industry, non-governmental organizations, and international organizations and other activities on which the FDA and UM-NCNPR will collaborate.

Specifically, this cooperative agreement will provide continued support so that UM-NCNPR can:

1. Assist in the identification and development of a prioritized list of botanical ingredients based on safety concerns, trends, and knowledge of food, dietary supplement, and cosmetic products being marketed in the U.S.
2. Acquire, validate, and characterize authenticated reference materials, including raw and processed plant materials and purified natural products of relevance to FDA, for evaluation of their safety.
3. Exchange technical and scientific information, analytical methods, and reference material with FDA scientists and other stakeholders.
4. Collaborate with FDA scientists in research areas of mutual interest.
5. Coordinate scientific workshops and conferences on botanical-related topics of public health relevance to address high priority science and research needs.

See Section VIII. Other Information for award authorities and regulations.

### Section II. Award Information

<b>Funding Instrument</b>	Cooperative Agreement: A support mechanism used when there will be substantial Federal scientific or programmatic involvement. Substantial involvement means that, after award, FDA scientific or program staff will assist, guide, coordinate, or participate in project activities. See Section VI.2 for additional information about the substantial involvement for this FOA.
<b>Application Types Allowed</b>	Renewal The <a href="#">OER Glossary</a> and the SF424 (R&R) Application Guide provide

	details on these application types.
<b>Funds Available and Anticipated Number of Awards</b>	<p>FDA/CFSAN intends to award a five (5) year cooperative agreement with funds up to \$3,500,000 total costs (direct plus indirect) for fiscal year 2016.</p> <p>In the additional four (4) years, it is anticipated that one (1) award will be made, not to exceed \$3,500,000 in total costs (direct plus indirect) for each project period.</p>
<b>Award Budget</b>	<p>Application budgets need to reflect the actual needs of the proposed project and should not exceed the following in total costs (direct and indirect):</p> <p>YR 01: \$3,500,000  YR 02: \$3,500,000  YR 03: \$3,500,000  YR 04: \$3,500,000  YR 05: \$3,500,000</p>
<b>Award Project Period</b>	<p>The scope of the proposed project should determine the project period. The maximum project period is five (5) years.</p> <p>The award will provide one (1) year support and include future recommended support for four (4) additional years, contingent upon satisfactory performance in the achievement of project and program objectives during the preceding year and the availability of federal fiscal year appropriations.</p>

HHS grants policies as described in the [HHS Grants Policy Statement](#) will apply to the applications submitted and awards made in response to this FOA.

## Section III. Eligibility Information

### 1. Eligible Applicants

The following organization is eligible to apply:

University of Mississippi, Natural Center for Natural Products.

#### Foreign Institutions

Non-domestic (non-U.S.) Entities (Foreign Institutions) **are not** eligible to apply.  
Non-domestic (non-U.S.) components of U.S. Organizations **are not** eligible to apply.  
Foreign components, as [defined in the HHS Grants Policy Statement](#), **are not** allowed.

#### Required Registrations

## Applicant Organizations

Applicant organizations must complete and maintain the following registrations as described in the SF 424 (R&R) Application Guide to be eligible to apply for or receive an award. All registrations must be completed prior to the application being submitted. Registration can take 6 weeks or more, so applicants should begin the registration process as soon as possible. Failure to complete registrations in advance of a due date is not a valid reason for a late submission.

- [Dun and Bradstreet Universal Numbering System \(DUNS\)](#) - All registrations require that applicants be issued a DUNS number. After obtaining a DUNS number, applicants can begin both SAM and eRA Commons registrations. The same DUNS number must be used for all registrations, as well as on the grant application.
- System for Award Management (SAM) (formerly CCR) – Applicants must complete and maintain an active registration, **which requires renewal at least annually**. The renewal process may require as much time as the initial registration. SAM registration includes the assignment of a Commercial and Government Entity (CAGE) Code for domestic organizations which have not already been assigned a CAGE Code.
  - [NATO Commercial and Government Entity \(NCAGE\) Code](#) – Foreign organizations must obtain an NCAGE code (in lieu of a CAGE code) in order to register in SAM.
- eRA Commons - Applicants must have an active DUNS number and SAM registration in order to complete the eRA Commons registration. Organizations can register with the eRA Commons as they are working through their SAM or Grants.gov registration. eRA Commons requires organizations to identify at least one Signing Official (SO) and at least one Program Director/Principal Investigator (PD/PI) account in order to submit an application.
- Grants.gov – Applicants must have an active DUNS number and SAM registration in order to complete the Grants.gov registration.

## Program Directors/Principal Investigators (PD(s)/PI(s))

All PD(s)/PI(s) must have an eRA Commons account. PD(s)/PI(s) should work with their organizational officials to either create a new account or to affiliate their existing account with the applicant organization in eRA Commons. If the PD/PI is also the organizational Signing Official, they must have two distinct eRA Commons accounts, one for each role. Obtaining an eRA Commons account can take up to 2 weeks.

## Eligible Individuals (Program Director/Principal Investigator)

Any individual(s) with the skills, knowledge, and resources necessary to carry out the proposed research as the Program Director(s)/Principal Investigator(s) (PD(s)/PI(s)) is invited to work with his/her organization to develop an application for support. Individuals from underrepresented racial and ethnic groups as well as individuals with disabilities are always encouraged to apply for FDA support.

For institutions/organizations proposing multiple PDs/PIs, visit the Multiple Program Director/Principal Investigator Policy and submission details in the Senior/Key Person Profile (Expanded) Component of the SF424 (R&R) Application Guide.

[ ]

## 2. Cost Sharing

This FOA does not require cost sharing as defined in the [HHS Grants Policy Statement](#).

## 3. Additional Information on Eligibility Number of Applications

Applicant organizations may submit more than one application, provided that each application is scientifically distinct.

The FDA will not accept duplicate or highly overlapping applications under review at the same time. This means that the FDA will not accept:

- A new (A0) application that is submitted before issuance of the summary statement from the review of an overlapping new (A0) or resubmission (A1) application.
- A resubmission (A1) application that is submitted before issuance of the summary statement from the review of the previous new (A0) application.

[ ]

## Section IV. Application and Submission Information

### 1. Requesting an Application Package

Applicants must obtain the SF424 (R&R) application package associated with this funding opportunity using the “Apply for Grant Electronically” button in this FOA or following the directions provided at [Grants.gov](http://Grants.gov).

### 2. Content and Form of Application Submission

It is critical that applicants follow the instructions in the [SF424 \(R&R\) Application Guide](#), including [Supplemental Grant Application Instructions](#) except where instructed in this funding opportunity announcement to do otherwise. Conformance to the requirements in the Application Guide is required and strictly enforced. Applications that are out of compliance with these instructions may be delayed or not accepted for review.

For information on Application Submission and Receipt, visit [Frequently Asked Questions – Application Guide, Electronic Submission of Grant Applications](#).

[ ]

#### Page Limitations

All page limitations described in the SF424 Application Guide and the [Table of Page Limits](#) must be followed, with the following exceptions or additional requirements:

- For this specific FOA, the Research Strategy section is limited to 30 pages. [ ]

#### Instructions for Application Submission

The following section supplements the instructions found in the SF424 (R&R) Application Guide and should be used for preparing an application to this FOA.

#### SF424 (R&R) Cover

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

#### SF424 (R&R) Project/Performance Site Locations

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

#### SF424 (R&R) Other Project Information

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

#### SF424 (R&R) Senior/Key Person Profile

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

#### R&R Budget

All instructions in the SF424 (R&R) Application Guide must be followed with the following additional instructions:

- Applications requesting multiple years of support must complete and submit a separate detailed budget breakdown and narrative justification for each year of financial support requested.

- If an applicant is requesting indirect costs as part of their budget, a copy of the most recent Federal indirect cost rate or F&A agreement must be provided as part of the application submission. This agreement should be attached to the RESEARCH & RELATED Other Project Information Component as line #12 'Other Attachments'.
- If the applicant organization has never established an indirect cost rate and/or does not have a negotiated Federal indirect cost rate agreement, a de minimis indirect cost rate of 10 percent (10%) of modified total direct costs (MTDC) will be allowed. MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and subaward and subcontracts up to the first \$25,000 of each subaward or subcontract. MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward and subcontract in excess of \$25,000.

### **R&R Subaward Budget**

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

### **PHS 398 Cover Page Supplement**

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

### **PHS 398 Research Plan**

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

**Resource Sharing Plan:** Individuals are required to comply with the instructions for the Resource Sharing Plans as provided in the SF424 (R&R) Application Guide, with the following modification:

- All applications, regardless of the amount of direct costs requested for any one year, should address a Data Sharing Plan.

**Appendix:** Do not use the Appendix to circumvent page limits. Follow all instructions for the Appendix as described in the SF424 (R&R) Application Guide. [ ]

### **PHS Inclusion Enrollment Report**

When conducting clinical research, follow all instructions for completing PHS Inclusion Enrollment Report as described in the SF424 (R&R) Application Guide.

### **PHS Assignment Request Form**

All instructions in the SF424 (R&R) Application Guide must be followed. [ ]

## **3. Unique Entity Identifier and System for Award Management (SAM)**

See Part 1. Section III.1 for information regarding the requirement for obtaining a unique entity identifier and for completing and maintaining active registrations in System for Award Management (SAM), NATO Commercial and Government Entity (NCAGE) Code (if applicable), eRA Commons, and Grants.gov

## **4. Submission Dates and Times**

[Part I. Overview Information](#) contains information about Key Dates and times. Applicants are encouraged to submit applications before the due date to ensure they have time to make any application corrections that might be necessary for successful submission.

Organizations must submit applications to [Grants.gov](http://Grants.gov) (the online portal to find and apply for grants across all Federal agencies). Applicants must then complete the submission process by tracking the status of the application in the [eRA Commons](#), FDA's electronic system for grants administration. eRA Commons and Grants.gov systems check the application against many of the application instructions upon submission. Errors must be corrected and a changed/corrected application must be submitted to Grants.gov on or before the application due date and time. If a Changed/Corrected application is submitted after the deadline, the application will be considered late. **Late applications will not be accepted for this FOA.**

**Applicants are responsible for viewing their application before the due date in the eRA Commons to ensure accurate and successful submission.**

Information on the submission process and a definition of on-time submission are provided in the SF424 (R&R) Application Guide.

## 5. Intergovernmental Review (E.O. 12372)

This initiative is not subject to [intergovernmental review](#).

## 6. Funding Restrictions

All FDA awards are subject to the terms and conditions, cost principles, and other considerations described in the [HHS Grants Policy Statement](#).

Pre-award costs are allowable only as described in the [HHS Grants Policy Statement](#).

Additional funding restrictions may be part of the Notice of Award. ]

## 7. Other Submission Requirements and Information

Applications must be submitted electronically following the instructions described in the SF424 (R&R) Application Guide. **Paper applications will not be accepted.**

**Applicants must complete all required registrations before the application due date.** [Section III. Eligibility Information](#) contains information about registration.

For assistance with your electronic application or for more information on the electronic submission process, visit [Applying Electronically](#). For assistance with application submission, contact the Application Submission Contacts in [Section VII](#).

### Important reminders:

All PD(s)/PI(s) must include their eRA Commons ID in the Credential field of the Senior/Key Person Profile Component of the SF424(R&R) Application Package. Failure to register in the Commons and to include a valid PD/PI Commons ID in the credential field will prevent the successful submission of an electronic application to FDA. See [Section III](#) of this FOA for information on registration requirements.

The applicant organization must ensure that the DUNS number it provides on the application is the same number used in the organization's profile in the eRA Commons and for the System for Award Management. Additional information may be found in the SF424 (R&R) Application Guide.

See [more tips](#) for avoiding common errors.

Upon receipt, applications will be evaluated for completeness and compliance with application instructions by the assigned Grants Management Specialist and responsiveness by [components of participating organizations](#), FDA. Applications that are incomplete, non-compliant and/or nonresponsive will not be reviewed. ]

## Post Submission Materials

Applicants are required to follow the instructions for post-submission materials, as described in [NOT-OD-13-030](#).

# Section V. Application Review Information

## 1. Criteria

Only the review criteria described below will be considered in the review process.

### Scored Review Criteria

Reviewers will consider each of the review criteria below in the determination of scientific merit.

#### Significance (25 Points)

Does the project address an important problem or a critical barrier to progress in the field? Does the project have a strong scientific premise? If the aims of the project are achieved, how will scientific knowledge, technical capability, and/or clinical practice be improved? How will successful completion of the aims change the concepts, methods, technologies, treatments, services, or preventative interventions that drive this field?

#### Investigator(s) (20 Points)

Are the PD(s)/PI(s), collaborators, and other researchers well suited to the project? If Early Stage Investigators or New Investigators, or in the early stages of independent careers, do they have appropriate experience and training? If established, have they demonstrated an ongoing record of accomplishments that have advanced their field(s)? If the project is collaborative or multi-PD/PI, do the investigators have complementary and integrated expertise; are their leadership approach, governance and organizational structure appropriate for the project?

#### Innovation (20 Points)

Does the application challenge and seek to shift current research or clinical practice paradigms by utilizing novel theoretical concepts, approaches or methodologies, instrumentation, or interventions? Are the concepts, approaches or methodologies, instrumentation, or interventions novel to one field of research or novel in a broad sense? Is a refinement, improvement, or new application of theoretical concepts, approaches or methodologies, instrumentation, or interventions proposed?

Does UM-NCNPR use appropriate technologies to advance the understanding of the chemistry of botanical ingredients?

#### Approach (20 Points)

Are the overall strategy, methodology, and analyses well-reasoned and appropriate to accomplish the specific aims of the project? Have the investigators presented strategies to ensure a robust and unbiased approach, as appropriate for the work proposed? Are potential problems, alternative strategies, and benchmarks for success presented? If the project is in the early stages of development, will the strategy establish feasibility and will particularly risky aspects be managed? Have the investigators presented adequate plans to address relevant biological variables, such as sex, for studies in vertebrate animals or human subjects?

If the project involves human subjects and/or FDA-defined clinical research, are the plans to address 1) the protection of human subjects from research risks, and 2) inclusion (or exclusion)

of individuals on the basis of sex/gender, race, and ethnicity, as well as the inclusion or exclusion of children, justified in terms of the scientific goals and research strategy proposed?

Does UM-NCNPR develop and use a research paradigm that considers the chemical complexity of botanical products?

### **Environment (15 Points)**

Will the scientific environment in which the work will be done contribute to the probability of success? Are the institutional support, equipment and other physical resources available to the investigators adequate for the project proposed? Will the project benefit from unique features of the scientific environment, subject populations, or collaborative arrangements?

[ ]

### **Additional Review Criteria**

As applicable for the project proposed, reviewers will evaluate the following additional items, but will not give separate scores for these items and should not consider them in providing an overall score.

The application will receive a merit description that reflects the progress of the FDA program at the UM-NCNPR as a whole, which will be evaluated on:

Whether past research outcomes at UM-NCNPR demonstrated the ability to continue to achieve the research objectives outlined in Section I of the original FOA?

Whether UM-NCNPR demonstrated success in promoting the development of collaborative interactions/research with non-FDA scientists and other scientists?

Whether any additional resources have been developed?

What is the evidence of institutional support?

Were results from past projects/experiments used in the design and interpretation of other experiments?

### **Protections for Human Subjects**

For research that involves human subjects but does not involve one of the six categories of research that are exempt under 45 CFR Part 46, the committee will evaluate the justification for involvement of human subjects and the proposed protections from research risk relating to their participation according to the following five review criteria: 1) risk to subjects, 2) adequacy of protection against risks, 3) potential benefits to the subjects and others, 4) importance of the knowledge to be gained, and 5) data and safety monitoring for clinical trials.

For research that involves human subjects and meets the criteria for one or more of the six categories of research that are exempt under 45 CFR Part 46, the committee will evaluate: 1) the justification for the exemption, 2) human subjects involvement and characteristics, and 3) sources of materials. For additional information on review of the Human Subjects section, please refer to the Guidelines for the Review of Human Subjects.

### **Inclusion of Women, Minorities, and Children**

When the proposed project involves human subjects and/or FDA-defined clinical research, the committee will evaluate the proposed plans for the inclusion (or exclusion) of individuals on the basis of sex/gender, race, and ethnicity, as well as the inclusion (or exclusion) of children to determine if it is justified in terms of the scientific goals and research strategy proposed. For

additional information on review of the Inclusion section, please refer to the Guidelines for the Review of Inclusion in Clinical Research.

### **Vertebrate Animals**

The committee will evaluate the involvement of live vertebrate animals as part of the scientific assessment according to the following criteria: (1) description of proposed procedures involving animals, including species, strains, ages, sex, and total number to be used; (2) justifications for the use of animals versus alternative models and for the appropriateness of the species proposed; (3) interventions to minimize discomfort, distress, pain and injury; and (4) justification for euthanasia method if NOT consistent with the AVMA Guidelines for the Euthanasia of Animals. Reviewers will assess the use of chimpanzees as they would any other application proposing the use of vertebrate animals. For additional information on review of the Vertebrate Animals section, please refer to the [Worksheet for Review of the Vertebrate Animal Section](#).

### **Biohazards**

Reviewers will assess whether materials or procedures proposed are potentially hazardous to research personnel and/or the environment, and if needed, determine whether adequate protection is proposed.

### **Resubmissions**

[Not Applicable ]

### **Renewals**

[For Renewals, the committee will consider the progress made in the last funding period. ]

### **Revisions**

[Not Applicable ]

[ ]

### **Applications from Foreign Organizations**

[Not Applicable.]

### **Select Agent Research**

Reviewers will assess the information provided in this section of the application, including 1) the Select Agent(s) to be used in the proposed research, 2) the registration status of all entities where Select Agent(s) will be used, 3) the procedures that will be used to monitor possession use and transfer of Select Agent(s), and 4) plans for appropriate biosafety, biocontainment, and security of the Select Agent(s).

### **Resource Sharing Plans**

Reviewers will comment on whether the following Resource Sharing Plans, or the rationale for not sharing the following types of resources, are reasonable: (1) [Data Sharing Plan](#); (2) [Sharing Model Organisms](#); and (3) Genomic Data Sharing Plan ([GDS](#)).

### **Authentication of Key Biological and/or Chemical Resources:**

For projects involving key biological and/or chemical resources, reviewers will comment on the brief plans proposed for identifying and ensuring the validity of those resources.

### **Budget and Period of Support**

Reviewers will consider whether the budget and the requested period of support are fully justified and reasonable in relation to the proposed research.

## **2. Review and Selection Process**

Applications will be evaluated for scientific and technical merit by an Objective Review Committee using the stated [review criteria](#).

As part of the objective review, all applications:

- Will receive a written critique.

Appeals of objective review will not be accepted for applications submitted in response to this FOA.

Applications will compete for available funds with all other recommended applications submitted in response to this FOA. The following will be considered in making funding decisions:

- Scientific and technical merit of the proposed project as determined by objective review.
- Availability of funds.
- Relevance of the proposed project to program priorities. [ ]

### **3. Anticipated Announcement and Award Dates**

Successful applicants will be notified of additional information that may be required or other actions leading to an award. The decision not to award a grant, or to award a grant at a particular funding level, is discretionary and is not subject to appeal to any FDA or HHS official or board.

## **Section VI. Award Administration Information**

### **1. Award Notices**

A formal notification in the form of a Notice of Award (NoA) will be provided to the applicant organization for successful applications. The NoA signed by the grants management officer is the authorizing document and will be sent via email to the grantee's business official.

Awardees must comply with any funding restrictions described in [Section IV.5. Funding Restrictions](#). Selection of an application for award is not an authorization to begin performance. Any costs incurred before receipt of the NoA are at the recipient's risk. These costs may be reimbursed only to the extent considered allowable pre-award costs.

Any application awarded in response to this FOA will be subject to terms and conditions found in the [HHS Grants Policy Statement](#).

### **2. Administrative and National Policy Requirements**

All FDA grant and cooperative agreement awards include the [HHS Grants Policy Statement](#) as part of the NoA.

Recipients of federal financial assistance (FFA) from HHS must administer their programs in compliance with federal civil rights law. This means that recipients of HHS funds must ensure equal access to their programs without regard to a person's race, color, national origin, disability, age and, in some circumstances, sex and religion. This includes ensuring your programs are accessible to persons with limited English proficiency. HHS recognizes that research projects are often limited in scope for many reasons that are nondiscriminatory, such as the principal investigator's scientific interest, funding limitations, recruitment requirements, and other considerations. Thus, criteria in research protocols that target or exclude certain populations are warranted where nondiscriminatory justifications establish that such criteria are appropriate with respect to the health or safety of the subjects, the scientific study design, or the purpose of the research.

HHS provides general guidance to recipients of FFA on meeting their legal obligation to take reasonable steps to provide meaningful access to their programs by persons with limited English proficiency. Please see <http://www.hhs.gov/ocr/civilrights/resources/laws/revisedlep.html>. The HHS Office for Civil Rights also provides guidance on complying with civil rights laws enforced by HHS. Please see <http://www.hhs.gov/ocr/civilrights/understanding/section1557/index.html>; and <http://www.hhs.gov/ocr/civilrights/understanding/index.html>. Recipients of FFA also have specific

legal obligations for serving qualified individuals with disabilities. Please see <http://www.hhs.gov/ocr/civilrights/understanding/disability/index.html>. Please contact the HHS Office for Civil Rights for more information about obligations and prohibitions under federal civil rights laws at <http://www.hhs.gov/ocr/office/about/rgn-hqaddresses.html> or call 1-800-368-1019 or TDD 1-800-537-7697. Also note it is an HHS Departmental goal to ensure access to quality, culturally competent care, including long-term services and supports, for vulnerable populations. For further guidance on providing culturally and linguistically appropriate services, recipients should review the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care at <http://minorityhealth.hhs.gov/omh/browse.aspx?lvl=2&lvlid=53>.

FDA considers the sharing of research resources developed through FDA-sponsored research an important means to enhance the value and further the advancement of research. When research resources have been developed with FDA funds and the associated research findings published, those findings must be made readily available to the scientific community.

Upon acceptance for publication, scientific researchers must submit the author's final manuscript of the peer-reviewed scientific publication resulting from research supported in whole or in part with FDA funds to the NIH National Library of Medicine's (NLM) PubMed Central (PMC). FDA defines the author's final manuscript as the final version accepted for journal publication, which includes all modifications from the publishing peer review process. The PMC archive is the designated repository for these manuscripts for use by the public, health care providers, educators, scientists, and FDA. Please see the FDA Public Access Policy.

Additional terms and conditions regarding FDA regulatory and [CFSAN] programmatic requirements may be part of the Notice of Award.

## **Cooperative Agreement Terms and Conditions of Award**

The following special terms of award are in addition to, and not in lieu of, otherwise applicable Office of Management and Budget (OMB) administrative guidelines, HHS grant administration regulations at 45 CFR Part 75, and other HHS, PHS, and FDA grant administration policies.

The administrative and funding instrument used for this program will be the cooperative agreement, an "assistance" mechanism (rather than an "acquisition" mechanism), in which substantial FDA programmatic involvement with the awardees is anticipated during the performance of the activities. Under the cooperative agreement, the FDA's purpose is to support and stimulate the recipients' activities by involvement in and otherwise working jointly with the award recipients in a partnership role; it is not to assume direction, prime responsibility, or a dominant role of activities. Consistent with this concept, the dominant role and prime responsibility resides with the awardees for the project as a whole, although specific tasks and activities may be shared among the awardees and the FDA as defined below.

### **A.1. Principal Investigator Rights and Responsibilities**

The Principal Investigator will have the primary responsibility for and dominant role in planning, directing, and executing the proposed project, with the FDA staff being substantially involved as a partner with the PI.

Awardees will retain custody of and have primary rights to the data and software developed under these awards, subject to Government rights of access consistent with current HHS, PHS, and FDA policies.

### **A.2. FDA Responsibilities**

An FDA project officer will have substantial programmatic involvement that is above and beyond the normal stewardship role in awards, as described below:

The program project officer will monitor the grantee periodically. The monitoring may be in the form of telephone conversations, emails, quarterly reviews, or written correspondence between the project officer/grants management officer and the Principal Investigator. Periodic site visits with officials of the grantee organization may also occur. The results of these monitoring activities will be recorded in

the official grant file and will be available to the grantee upon request, consistent with applicable disclosure statutes and with FDA disclosure regulations. Also, the grantee organization must comply with all special terms and conditions of the grant, including those that state that future funding will depend on recommendations from the project officer. In addition,

- a. FDA will have prior approval of the appointment of all key administrative and scientific personnel proposed by the grantee.
- b. FDA will be directly involved in the guidance and development of the program.

FDA scientists will participate, with the grantee, in determining and carrying out scientific and technical activities. Collaboration will also include data analysis, interpretation of findings and, where appropriate, co-authorship of publications

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### 3. Reporting

When multiple years are involved, awardees will be required to submit the [Research Performance Progress Report \(RPPR\)](#) annually and financial statements as required in the Notice of Award.

A final progress report, invention statement, and the expenditure data portion of the Federal Financial Report are required for closeout of an award, as described in the [HHS Grants Policy Statement](#).

The Federal Funding Accountability and Transparency Act of 2006 (Transparency Act), includes a requirement for awardees of Federal grants to report information about first-tier subawards and executive compensation under Federal assistance awards issued in FY2011 or later. All awardees of applicable FDA grants and cooperative agreements are required to report to the Federal Subaward Reporting System (FSRS) available at [www.fsr.gov](http://www.fsr.gov) on all subawards over \$25,000.

## Section VII. Agency Contacts

We encourage inquiries concerning this funding opportunity and welcome the opportunity to answer questions from potential applicants.

### Application Submission Contacts

eRA Service Desk (Questions regarding ASSIST, eRA Commons registration, submitting and tracking an application, documenting system problems that threaten submission by the due date, post submission issues)

Finding Help Online: <http://grants.nih.gov/support/> (preferred method of contact)

Telephone: 301-402-7469 or 866-504-9552 (Toll Free)

[Grants.gov Customer Support](#) (Questions regarding Grants.gov registration and submission, downloading forms and application packages)

Contact Center Telephone: 800-518-4726

Web ticketing system: <https://grants-portal.psc.gov/ContactUs.aspx>

Email: [support@grants.gov](mailto:support@grants.gov)

### Scientific/Research Contact(s)

Cara Welch, Ph.D.

Project Officer

Food and Drug Administration

Center for Food Safety and Applied Nutrition

5100 Paint Branch Parkway

CPK1, Rm. 4D-039, HFS 810

College Park, MD 20740

Telephone: 240-402-2333

E-mail: [cara.welch@fda.hhs.gov](mailto:cara.welch@fda.hhs.gov) ]

## **Objective Review Contact(s)**

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## **Financial/Grants Management Contact(s)**

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## **Section VIII. Other Information**

All awards are subject to the terms and conditions, cost principles, and other considerations described in the [HHS Grants Policy Statement](#).

### **Authority and Regulations**

Awards are made under the authorization of Sections 301 of the Public Health Service Act as amended (42 USC 241) and under Federal Regulations 42 CFR Part 52 and 45 CFR Part 75.