



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

**MEMORANDUM**

**TO:** Director, Centers for Disease Control and Prevention

**FROM:** The Secretary

**SUBJECT:** Delegation of Authority of section 564A(e) of the Federal Food, Drug, and Cosmetic Act

I hereby delegate to the Director of the Centers for Disease Control and Prevention (CDC), the authority vested in the Secretary of Health and Human Services (HHS) under section 564A(e) of the Federal Food, Drug, and Cosmetic (FD&C) Act, 21 U.S.C. 360bbb-3a, as amended, insofar as these authorities pertain to the functions and operations of CDC. Section 564A(e) of the FD&C Act authorizes the Secretary of HHS, acting through an appropriate official within the Department, to create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product, as defined under section 564A(a)(1) of the FD&C Act, is to be administered, concerning the product's approved, licensed, or cleared conditions of use.

This authority may be re-delegated.

This authority shall be exercised under the Department's existing delegation and policy related to regulations.

This delegation is effective upon the date of signature.

**--/S/--**

**DEC 16 2013**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kathleen Sebelius