

Minutes: Steering Board Meeting, 13 August 2020

The [REDACTED] verified that all participants attending the meeting had signed the declaration of confidentiality and the absence of conflict of interest.

1. Terms Sheet discussed with Johnson & Johnson

The JNT concluded the long-lasting exploratory talks with Johnson&Johnson, one of the first companies that approach the European Commission.

The JNT presented the details of the [REDACTED] Johnson & Johnson. The company [REDACTED] vaccine regiments, [REDACTED]

The distribution will start as [REDACTED] with the following delivery scheme: Q2 [REDACTED] doses, Q3 [REDACTED] doses, Q4 [REDACTED] doses.

Advanced payment of [REDACTED] is divided into [REDACTED] payment and [REDACTED]. Payment of [REDACTED] after the EU Marketing Authorization [REDACTED]. The [REDACTED] is foreseen for the [REDACTED] in the EU.

Language on the resell and donation was agreed. [REDACTED]

The team agreed with J&J the language of the liability and indemnification clause. [REDACTED]

Concerning the next steps, [REDACTED] is now going through the approval process in the European Commission. Once approved it will be sent to the company.

The press release announcing the completion of the exploratory talks, the first step in the process, will be published today.

2. Presentation of the contract with AstraZeneca

The negotiation team expects to hold the final meeting on the contract later in a day. The team reminded that in a specific case of AZ, the alliance of 4 MS held the initial discussions on terms before the EU process started, which had an impact on the timing and discussions.

- Delivery conditions

[REDACTED] terms were agreed. The company will deliver to national distribution hubs indicated by MS and MS will cover the distribution within the countries [REDACTED].

The minimal size of the batch for the delivery is [REDACTED] doses, which may require specific logistics arrangements for the delivery and storage [REDACTED].

- Liability, indemnification and legal fees

Following last discussion the JNT renegotiated [REDACTED].
Furthermore, the contract now includes a clarification on the indemnification rights [REDACTED].

- Contract transmission procedure and the opt-out period

Each MS will be asked to nominate a contact points for the secure contract transmission. The encrypted confidential contact will be uploaded [REDACTED]. The passwords for the encryption will be sent to a nominated contact via [REDACTED]. MS will be asked to explicitly acknowledge the receipt of the documents once the encrypted attachments are opened. Once the contract is circulated, the EC will convene a Steering Board meeting to verify the procedure.

A non-encrypted Vademecum with the precise explanations of each steps will be circulated to Steering Board members shortly.

Concerning the opt-out, the agreement foresees an “explicit notification” within 5 working days. The notification has to be made by a person who has the authority to express such a formal notifications.

3. Communication

Commission will publish the press release on the outcomes of discussions with AZ and J&J.

4. Exploratory talks with other companies

- Sanofi – in the [REDACTED]. The EC will organise the scientific meetings.
- Bionetech – exploratory talks ongoing. [REDACTED].
- CureVac – exploratory talks ongoing.
- Valneva – initial discussions took place.
- Novavax – meeting will take place [REDACTED].