



NDA 22-308

**NDA APPROVAL**

Bausch & Lomb Incorporated  
Attention: Jennifer S. Knicley  
Manager, Regulatory Affairs  
1400 North Goodman Street  
Rochester, NY 14609

Dear Ms. Knicley:

Please refer to your new drug application (NDA) dated May 30, 2008, received June 2, 2008, submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (FDCA) for Besivance (besifloxacin ophthalmic suspension) 0.6% .

We acknowledge receipt of your submissions dated December 21, 2007 (2), March 27, May 30, August 22, September 12, and 30, November 14, and December 17, 2008, and January 8, and 23, February 4, and 24, March 4, 13, and 31, and May 19, 2009.

This new drug application provides for the use of Besivance (besifloxacin ophthalmic suspension) 0.6% for the treatment of bacterial conjunctivitis.

We have completed our review of this application as amended. It is approved, effective on the date of this letter, for use as recommended in the enclosed agreed-upon labeling text.

#### **REQUIRED PEDIATRIC ASSESSMENTS**

Under the Pediatric Research Equity Act (PREA) (21 U.S.C. 355c), all applications for new active ingredients, new indications, new dosage forms, new dosing regimens, or new routes of administration are required to contain an assessment of the safety and effectiveness of the product for the claimed indication(s) in pediatric patients unless this requirement is waived, deferred, or inapplicable. We are waiving the pediatric study requirement for ages less than one year because the necessary studies are impossible or highly impracticable. This is because ophthalmia neonatorum, a related but different condition, affects children under 1 month of age, and for children between 1 month and 1 year of age, there are too few children with bacterial conjunctivitis to study. We note that you have fulfilled the pediatric study requirement for ages one year and older for this application. Therefore, no additional pediatric studies are needed at this time.

## **POSTMARKETING REQUIREMENTS UNDER 505 (o)**

Section 505(o) of the FDCA authorizes FDA to require holders of approved drug and biological product applications to conduct postmarketing studies and clinical trials for certain purposes, if FDA makes certain findings required by the statute (section 505(o)(3)(A)).

We have determined that an analysis of spontaneous postmarketing adverse events reported under subsection 505(k)(1) of the FDCA will not be sufficient to identify an unexpected serious risk of ophthalmic adverse events for patients who receive therapy of 7-days duration.

Furthermore, the new pharmacovigilance system that FDA is required to establish under section 505(k)(3) of the FDCA has not yet been established and is not sufficient to assess these serious risks.

Finally, we have determined that only a clinical trial (rather than a nonclinical or observational study) will be sufficient to identify an unexpected serious risk of ophthalmic adverse events for patients who receive therapy of 7-days duration.

Therefore, based on appropriate scientific data, FDA has determined that you are required to conduct the following:

1. A randomized, parallel arm, vehicle-controlled, clinical trial to evaluate the safety of Besivance (besifloxacin ophthalmic suspension) 0.6% when administered three times a day, four to twelve hours apart for 7 days. The clinical trial must enroll at least 300 patients with signs and symptoms of bacterial conjunctivitis (ocular redness and discharge). You may wish to randomize patients in a 2:1 ratio, Besivance: control, for the objective of collecting safety data from the trial. Subjects should also be followed for clinical outcomes as this information can be important in the assessment of the safety data from the trial. Microbial cultures are required at baseline.

The timetable you submitted on May 19, 2009, states that you will conduct this clinical trial according to the following timetable:

Final Protocol Submission:	October 2009
Trial Completion Date:	April 2012
Final Report Submission:	October 2012.

Submit the protocol to your IND 64,335, with a cross-reference letter to this NDA 22-308. Submit all final report(s) to your NDA. Prominently identify the submission with the following wording in bold capital letters at the top of the first page of the submission, as appropriate:

- **Required Postmarketing Protocol under 505(o)**
- **Required Postmarketing Final Report under 505(o)**
- **Required Postmarketing Correspondence under 505(o)**

Section 505(o)(3)(E)(ii) of the FDCA requires you to report periodically on the status of any study or clinical trial required under this section. This section also requires you to periodically report to FDA on the status of any study or clinical trial otherwise undertaken to investigate a safety issue. Section 506B of the FDCA, as well as 21 CFR 314.81(b)(2)(vii) requires you to

report annually on the status of any postmarketing commitments or required studies or clinical trials.

FDA will consider the submission of your annual report under section 506B and 21 CFR 314.81(b)(2)(vii) to satisfy the periodic reporting requirement under section 505(o)(3)(E)(ii) provided that you include the elements listed in 505(o) and 21 CFR 314.81(b)(2)(vii). We remind you that to comply with 505(o), your annual report must also include a report on the status of any study or clinical trial otherwise undertaken to investigate a safety issue. Failure to submit an annual report for studies or clinical trials required under 505(o) on the date required will be considered a violation of FDCA section 505(o)(3)(E)(ii) and could result in enforcement.

### **CONTENT OF LABELING**

As soon as possible, but no later than 14 days from the date of this letter, please submit the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format as described at <http://www.fda.gov/oc/datacouncil/spl.html> that is identical to the enclosed labeling (text for the package insert). Upon receipt, we will transmit that version to the National Library of Medicine for public dissemination. For administrative purposes, please designate this submission, "SPL for approved NDA 22-308."

### **CARTON AND IMMEDIATE CONTAINER LABELS**

Submit final printed carton and container labels that are identical to the enclosed carton and immediate container labels as soon as they are available, but no more than 30 days after they are printed. Please submit these labels electronically according to the guidance for industry titled *Providing Regulatory Submissions in Electronic Format – Human Pharmaceutical Product Applications and Related Submissions Using the eCTD Specifications (October 2005)*. Alternatively, you may submit 12 paper copies, with 6 of the copies individually mounted on heavy-weight paper or similar material. For administrative purposes, designate this submission "**Final Printed Carton and Container Labels for approved NDA 22-308.**" Approval of this submission by FDA is not required before the labeling is used.

Marketing the product(s) with FPL that is not identical to the approved labeling text may render the product misbranded and an unapproved new drug.

### **PROMOTIONAL MATERIALS**

You may request advisory comments on proposed introductory advertising and promotional labeling. To do so, submit, in triplicate, a cover letter requesting advisory comments, the proposed materials in draft or mock-up form with annotated references, and the package insert(s) to:

Food and Drug Administration  
Center for Drug Evaluation and Research  
Division of Drug Marketing, Advertising, and Communications  
5901-B Ammendale Road  
Beltsville, MD 20705-1266

As required under 21 CFR 314.81(b)(3)(i), you must submit final promotional materials, and the package insert(s), at the time of initial dissemination or publication, accompanied by a Form

FDA 2253. For instruction on completing the Form FDA 2253, see page 2 of the Form. For more information about submission of promotional materials to the Division of Drug Marketing, Advertising, and Communications (DDMAC), see [www.fda.gov/cder/ddmac](http://www.fda.gov/cder/ddmac).

### **LETTERS TO HEALTH CARE PROFESSIONALS**

If you issue a letter communicating important safety related information about this drug product (i.e., a “Dear Health Care Professional” letter), we request that you submit an electronic copy of the letter to both this NDA and to the following address:

MedWatch  
Food and Drug Administration  
Suite 12B05  
5600 Fishers Lane  
Rockville, MD 20857

### **REPORTING REQUIREMENTS**

We remind you that you must comply with reporting requirements for an approved NDA (21 CFR 314.80 and 314.81).

### **MEDWATCH-TO-MANUFACTURER PROGRAM**

The MedWatch-to-Manufacturer Program provides manufacturers with copies of serious adverse event reports that are received directly by the FDA. New molecular entities and important new biologics qualify for inclusion for three years after approval. Your firm is eligible to receive copies of reports for this product. To participate in the program, please see the enrollment instructions and program description details at [www.fda.gov/medwatch/report/mmp.htm](http://www.fda.gov/medwatch/report/mmp.htm).

If you have any questions, call Alison Rodgers, Regulatory Project Manager, at (301) 796-0797.

Sincerely,

*{See appended electronic signature page}*

Edward M. Cox, M.D., M.P.H.  
Director  
Office of Antimicrobial Products  
Center for Drug Evaluation and Research  
Food and Drug Administration

Enclosure

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**This is a representation of an electronic record that was signed electronically and  
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Edward Cox  
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