



NDA 216686

**NDA APPROVAL**

Spes Pharmaceuticals Inc.  
Attention: Jianwei Yu, Ph.D.  
President, CEO & CSO  
31 Schalks Crossing Road  
Suite 111  
Plainsboro, NJ 08536

Dear Dr. Yu:

Please refer to your new drug application (NDA) dated December 23, 2021, received December 23, 2021, and your amendments, submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (FDCA) for Focinvez (fosaprepitant injection).

We acknowledge receipt of your amendment dated February 28, 2023, which constituted a complete response to our October 19, 2022, action letter.

This NDA provides for the use of Focinvez (fosaprepitant injection) for the following:

In adults and pediatric patients 6 months of age and older, in combination with other antiemetic agents, for the prevention of:

- acute and delayed nausea and vomiting associated with initial and repeat courses of highly emetogenic cancer chemotherapy (HEC) including high-dose cisplatin.
- delayed nausea and vomiting associated with initial and repeat courses of moderately emetogenic cancer chemotherapy (MEC).

### **APPROVAL & LABELING**

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 with minor editorial revisions listed below and reflected in the enclosed labeling.

- Updated the revision date in Highlights of the Prescribing Information and issue date in the Patient Package Insert to the approval date.

### **CONTENT OF LABELING**

As soon as possible, but no later than 14 days from the date of this letter, submit the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format using

the FDA automated drug registration and listing system (eLIST), as described at FDA.gov.<sup>1</sup> Content of labeling must be identical to the enclosed labeling (text for the Prescribing Information, Patient Package Insert) as well as annual reportable changes not included in the enclosed labeling. Information on submitting SPL files using eLIST may be found in the guidance for industry *SPL Standard for Content of Labeling Technical Qs and As*.<sup>2</sup>

The SPL will be accessible via publicly available labeling repositories.

### **CARTON AND CONTAINER LABELING**

Submit final printed carton and container labeling that are identical to the enclosed carton and container labeling and carton and container labeling submitted on February 28, 2023, as soon as they are available, but no more than 30 days after they are printed. Please submit these labeling electronically according to the guidance for industry *SPL Standard for Content of Labeling Technical Qs & As*. For administrative purposes, designate this submission “**Final Printed Carton and Container Labeling for approved NDA 216686.**” Approval of this submission by FDA is not required before the labeling is used.

### **DATING PERIOD**

Based on the stability data submitted to date, the expiry dating period for Focinvez (fosaprepitant injection) shall be 24 months from the date of manufacture when stored at 2°C to 8°C.

### **REQUIRED PEDIATRIC ASSESSMENTS**

Under the Pediatric Research Equity Act (PREA) (21 U.S.C. 355c), all applications for new active ingredients (which includes new salts and new fixed combinations), 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 in pediatric patients unless this requirement is waived, deferred, or inapplicable.

We are deferring submission of your pediatric study for ages 0 to 6 months for this application because this product is ready for approval for use in adults and the pediatric study has not been completed.

Your deferred pediatric study required by section 505B(a) of the Federal Food, Drug, and Cosmetic Act is a required postmarketing study. The status of this postmarketing

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<sup>1</sup> <http://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/default.htm>

<sup>2</sup> We update guidances periodically. For the most recent version of a guidance, check the FDA Guidance Documents Database <https://www.fda.gov/RegulatoryInformation/Guidances/default.htm>.

study must be reported annually according to 21 CFR 314.81 and section 505B(a)(4)(C) of the Federal Food, Drug, and Cosmetic Act. This required study is listed below.

- 4483-1 A study to evaluate pharmacokinetics, safety, and tolerability of a single dose of Fosaprepitant Injection 150 mg/50 mL (3 mg/mL) for prevention of chemotherapy-induced nausea and vomiting in pediatric patients 0 to 6 months of age undergoing highly emetogenic cancer chemotherapy (HEC) or moderately emetogenic cancer chemotherapy (MEC).

Final Protocol Submission: 08/2024

Study Completion: 10/2029

Final Report Submission: 04/2030

FDA considers the term *final* to mean that the applicant has submitted a protocol, the FDA review team has sent comments to the applicant, and the protocol has been revised as needed to meet the goal of the study or clinical trial.<sup>3</sup>

Submit the protocol(s) to your PIND 140555, with a cross-reference letter to this NDA. Reports of this required pediatric postmarketing study must be submitted as an NDA or as a supplement to your approved NDA with the proposed labeling changes you believe are warranted based on the data derived from this study. When submitting the reports, please clearly mark your submission "**SUBMISSION OF REQUIRED PEDIATRIC ASSESSMENTS**" in large font, bolded type at the beginning of the cover letter of the submission.

This product is appropriately labeled for use in ages 6 months to 17 years for this indication. Therefore, no additional studies are needed in this pediatric group.

### **PROMOTIONAL MATERIALS**

You may request advisory comments on proposed introductory advertising and promotional labeling. For information about submitting promotional materials, see the final guidance for industry *Providing Regulatory Submissions in Electronic and Non-Electronic Format—Promotional Labeling and Advertising Materials for Human Prescription Drugs*.<sup>4</sup>

As required under 21 CFR 314.81(b)(3)(i), you must submit final promotional materials, and the Prescribing Information, at the time of initial dissemination or publication,

<sup>3</sup> See the guidance for industry *Postmarketing Studies and Clinical Trials—Implementation of Section 505(o)(3) of the Federal Food, Drug, and Cosmetic Act (October 2019)*.

<https://www.fda.gov/RegulatoryInformation/Guidances/default.htm>.

<sup>4</sup> We update guidances periodically. For the most recent version of a guidance, check the FDA guidance web page at <https://www.fda.gov/media/128163/download>.

accompanied by a Form FDA 2253. Form FDA 2253 is available at [FDA.gov](http://FDA.gov).<sup>5</sup> Information and Instructions for completing the form can be found at [FDA.gov](http://FDA.gov).<sup>6</sup>

## **REPORTING REQUIREMENTS**

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

## **COMPENDIAL STANDARDS**

A drug with a name recognized in the official United States Pharmacopeia or official National Formulary (USP-NF) generally must comply with the compendial standards for strength, quality, and purity, unless the difference in strength, quality, or purity is plainly stated on its label (see FD&C Act § 501(b), 21 USC 351(b)). FDA typically cannot share application-specific information contained in submitted regulatory filings with third parties, which includes USP-NF. To help ensure that a drug continues to comply with compendial standards, application holders may work directly with USP-NF to revise official USP monographs. More information on the USP-NF is available on USP's website.<sup>7</sup>

If you have any questions, call Mary Chung, Regulatory Project Manager, at (301) 796-0260.

Sincerely,

*{See appended electronic signature page}*

Joyce Korvick, M.D., M.P.H.  
Deputy Director for Safety  
Division of Gastroenterology  
Office of Immunology and Inflammation  
Office of New Drugs  
Center for Drug Evaluation and Research

### ENCLOSURE(S):

- Content of Labeling
  - Prescribing Information
  - Patient Package Insert
- Carton and Container Labeling

<sup>5</sup> <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM083570.pdf>

<sup>6</sup> <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM375154.pdf>

<sup>7</sup> <https://www.uspnf.com/>

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**This is a representation of an electronic record that was signed electronically. Following this are manifestations of any and all electronic signatures for this electronic record.**  
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/s/  
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