

**CENTER FOR DRUG EVALUATION AND
RESEARCH**

APPLICATION NUMBER:

50-662/A029

ADMINISTRATIVE DOCUMENTS

EXCLUSIVITY SUMMARY for NDA # 50-662 SUPPL # 029

Trade Name Biaxin Generic Name Clarithromycin
 Applicant Name Abbott HFD- 520
 Approval Date 10/20/2000

This application is subject to the exemption provisions contained in section 125(d)(2) of Title I of the FDA Modernization Act of 1997. Formerly a 507 compound.

PART I: IS AN EXCLUSIVITY DETERMINATION NEEDED?

1. An exclusivity determination will be made for all original applications, but only for certain supplements. Complete Parts II and III of this Exclusivity Summary only if you answer "YES" to one or more of the following questions about the submission.

a) Is it an original NDA? YES / ___ / NO / ___ /

b) Is it an effectiveness supplement? YES / ___ / NO / ___ /

If yes, what type(SE1, SE2, etc.)? _____

c) Did it require the review of clinical data other than to support a safety claim or change in labeling related to safety? (If it required review only of bioavailability or bioequivalence data, answer "NO.")

YES / ___ / NO / ___ /

If your answer is "no" because you believe the study is a bioavailability study and, therefore, not eligible for exclusivity, EXPLAIN why it is a bioavailability study, including your reasons for disagreeing with any arguments made by the applicant that the study was not simply a bioavailability study.

If it is a supplement requiring the review of clinical data but it is not an effectiveness supplement, describe the change or claim that is supported by the clinical data:

d) Did the applicant request exclusivity?

YES /___/ NO /___/

If the answer to (d) is "yes," how many years of exclusivity did the applicant request?

e) Has pediatric exclusivity been granted for this Active Moiety?

YES /___/ NO /___/

IF YOU HAVE ANSWERED "NO" TO ALL OF THE ABOVE QUESTIONS, GO DIRECTLY TO THE SIGNATURE BLOCKS ON Page 9.

2. Has a product with the same active ingredient(s), dosage form, strength, route of administration, and dosing schedule previously been approved by FDA for the same use? (Rx to OTC) Switches should be answered No - Please indicate as such).

YES /___/ NO /___/

If yes, NDA # _____ Drug Name _____

IF THE ANSWER TO QUESTION 2 IS "YES," GO DIRECTLY TO THE SIGNATURE BLOCKS ON Page 9.

3. Is this drug product or indication a DESI upgrade?

YES /___/ NO /___/

IF THE ANSWER TO QUESTION 3 IS "YES," GO DIRECTLY TO THE SIGNATURE BLOCKS ON Page 9 (even if a study was required for the upgrade).

PART II: FIVE-YEAR EXCLUSIVITY FOR NEW CHEMICAL ENTITIES

(Answer either #1 or #2, as appropriate)

1. Single active ingredient product.

Has FDA previously approved under section 505 of the Act any drug product containing the same active moiety as the drug under consideration? Answer "yes" if the active moiety (including other esterified forms, salts, complexes, chelates or clathrates) has been previously approved, but this particular form of the active moiety, e.g., this particular ester or salt (including salts with hydrogen or coordination bonding) or other non-covalent derivative (such as a complex, chelate, or clathrate) has not been approved. Answer "no" if the compound requires metabolic conversion (other than deesterification of an esterified form of the drug) to produce an already approved active moiety.

YES / ___ / NO / ___ /

If "yes," identify the approved drug product(s) containing the active moiety, and, if known, the NDA #(s).

NDA # _____
NDA # _____
NDA # _____

2. Combination product.

If the product contains more than one active moiety (as defined in Part II, #1), has FDA previously approved an application under section 505 containing any one of the active moieties in the drug product? If, for example, the combination contains one never-before-approved active moiety and one previously approved active moiety, answer "yes." (An active moiety that is marketed under an OTC monograph, but that was never approved under an NDA, is considered not previously approved.)

YES / ___ / NO / ___ /

If "yes," identify the approved drug product(s) containing the active moiety, and, if known, the NDA #(s).

NDA # _____

NDA # _____

NDA # _____

IF THE ANSWER TO QUESTION 1 OR 2 UNDER PART II IS "NO," GO DIRECTLY TO THE SIGNATURE BLOCKS ON Page 9. IF "YES," GO TO PART III.

PART III: THREE-YEAR EXCLUSIVITY FOR NDA'S AND SUPPLEMENTS

To qualify for three years of exclusivity, an application or supplement must contain "reports of new clinical investigations (other than bioavailability studies) essential to the approval of the application and conducted or sponsored by the applicant." This section should be completed only if the answer to PART II, Question 1 or 2, was "yes."

1. Does the application contain reports of clinical investigations? (The Agency interprets "clinical investigations" to mean investigations conducted on humans other than bioavailability studies.) If the application contains clinical investigations only by virtue of a right of reference to clinical investigations in another application, answer "yes," then skip to question 3(a). If the answer to 3(a) is "yes" for any investigation referred to in another application, do not complete remainder of summary for that investigation.

YES /___/ NO /___/

IF "NO," GO DIRECTLY TO THE SIGNATURE BLOCKS ON Page 9.

2. A clinical investigation is "essential to the approval" if the Agency could not have approved the application or supplement without relying on that investigation. Thus, the investigation is not essential to the approval if 1) no clinical investigation is necessary to support the supplement or application in light of previously approved applications (i.e., information other than clinical trials, such as bioavailability data, would be sufficient to provide a basis

for approval as an ANDA or 505(b)(2) application because of what is already known about a previously approved product), or 2) there are published reports of studies (other than those conducted or sponsored by the applicant) or other publicly available data that independently would have been sufficient to support approval of the application, without reference to the clinical investigation submitted in the application.

For the purposes of this section, studies comparing two products with the same ingredient(s) are considered to be bioavailability studies.

- (a) In light of previously approved applications, is a clinical investigation (either conducted by the applicant or available from some other source, including the published literature) necessary to support approval of the application or supplement?

YES / ___ / NO / ___ /

If "no," state the basis for your conclusion that a clinical trial is not necessary for approval **AND GO DIRECTLY TO SIGNATURE BLOCK ON Page 9:**

- (b) Did the applicant submit a list of published studies relevant to the safety and effectiveness of this drug product and a statement that the publicly available data would not independently support approval of the application?

YES / ___ / NO / ___ /

- (1) If the answer to 2(b) is "yes," do you personally know of any reason to disagree with the applicant's conclusion? If not applicable, answer NO.

YES / ___ / NO / ___ /

If yes, explain: _____

(2) If the answer to 2(b) is "no," are you aware of published studies not conducted or sponsored by the applicant or other publicly available data that could independently demonstrate the safety and effectiveness of this drug product?

YES /___/ NO /___/

If yes, explain: _____

(c) If the answers to (b) (1) and (b) (2) were both "no," identify the clinical investigations submitted in the application that are essential to the approval:

Investigation #1, Study # _____

Investigation #2, Study # _____

Investigation #3, Study # _____

3. In addition to being essential, investigations must be "new" to support exclusivity. The agency interprets "new clinical investigation" to mean an investigation that 1) has not been relied on by the agency to demonstrate the effectiveness of a previously approved drug for any indication and 2) does not duplicate the results of another investigation that was relied on by the agency to demonstrate the effectiveness of a previously approved drug product, i.e., does not redemonstrate something the agency considers to have been demonstrated in an already approved application.

(a) For each investigation identified as "essential to the approval," has the investigation been relied on by the agency to demonstrate the effectiveness of a previously approved drug product? (If the investigation was relied on only to support the safety of a previously approved drug, answer "no.")

Investigation #1 YES /___/ NO /___/

Investigation #2 YES /___/ NO /___/

Investigation #3 YES /___/ NO /___/

If you have answered "yes" for one or more investigations, identify each such investigation and the NDA in which each was relied upon:

NDA # _____ Study # _____
 NDA # _____ Study # _____
 NDA # _____ Study # _____

(b) For each investigation identified as "essential to the approval," does the investigation duplicate the results of another investigation that was relied on by the agency to support the effectiveness of a previously approved drug product?

Investigation #1 YES /___/ NO /___/
 Investigation #2 YES /___/ NO /___/
 Investigation #3 YES /___/ NO /___/

If you have answered "yes" for one or more investigations, identify the NDA in which a similar investigation was relied on: _____

NDA # _____ Study # _____
 NDA # _____ Study # _____
 NDA # _____ Study # _____

(c) If the answers to 3(a) and 3(b) are no, identify each "new" investigation in the application or supplement that is essential to the approval (i.e., the investigations listed in #2(c), less any that are not "new"):

Investigation #__, Study # _____
 Investigation #__, Study # _____
 Investigation #__, Study # _____

4. To be eligible for exclusivity, a new investigation that is essential to approval must also have been conducted or sponsored by the applicant. An investigation was "conducted or sponsored by" the applicant if, before or during the conduct of the investigation, 1) the applicant was the sponsor of the IND named in the form FDA 1571 filed with the Agency, or 2) the applicant (or its predecessor in interest) provided substantial support for the study. Ordinarily, substantial support will mean providing 50 percent or more of the cost of the study.

(a) For each investigation identified in response to question 3(c): if the investigation was carried out under an IND, was the applicant identified on the FDA 1571 as the sponsor?

Investigation #1

IND # _____ YES /___/ NO /___/ Explain: _____

Investigation #2

IND # _____ YES /___/ NO /___/ Explain: _____

(b) For each investigation not carried out under an IND or for which the applicant was not identified as the sponsor, did the applicant certify that it or the applicant's predecessor in interest provided substantial support for the study?

Investigation #1

YES /___/ Explain _____ NO /___/ Explain _____

Investigation #2

YES /___/ Explain _____ NO /___/ Explain _____

(c) Notwithstanding an answer of "yes" to (a) or (b), are there other reasons to believe that the applicant should not be credited with having "conducted or sponsored" the study? (Purchased studies may not be used as the basis for exclusivity. However, if all rights to the drug are purchased (not just studies on the drug), the applicant may be considered to have sponsored or conducted the studies sponsored or conducted by its predecessor in interest.)

YES /___/ NO /___/

If yes, explain: _____

ISI

Signature of Preparer
Title: Project Manager

10/19/2000

Date

ISI

Signature of Office of Division Director

10/21/00

Date

CC:
Archival NDA
HFD- /Division File
HFD- /RPM
HFD-093/Mary Ann Holovac
HFD-104/PEDS/T.Crescenzi

Form OGD-011347
Revised 8/7/95; edited 8/8/95; revised 8/25/98, edited 3/6/00

PEDIATRIC PAGE

(Complete for all original applications for Pediatric Exclusivity supplements)

Checklist
Pediatric Exclusivity
Request
Determination

NDA Number: 050662 **Trade Name:** BIAXIN (CLARITHROMYCIN) TABLETS
Supplement Number: 029 **Generic Name:** CLARITHROMYCIN
Supplement Type: SE1 **Dosage Form:**
Regulatory Action: OP **COMIS Indication:** ANTIBIOTIC
Action Date: 12/20/99

Indication # 1 Community-Acquired Pneumonia due to Haemophilus influenzae

Label Adequacy: Adequate for ALL pediatric age groups

Formulation Needed: NO NEW FORMULATION is needed

Comments (if any): We note that Abbott has satisfied the pediatric study requirements for this action on the approved pediatric dosage form of clarithromycin (Biaxin Granules) for NDA 50-698, which is already labeled for Community-Acquired Pneumonia.

Lower Range	Upper Range	Status	Date
9 kg	33 kg	Waived	

Comments: The sponsor has satisfied the pediatric study requirements for this action on the approved pediatric dosage form of clarithromycin (Biaxin Granules) for NDA 50-698, which is already labeled for Community-acquired pneumonia.

This page was last edited on 10/19/00

Signature

Date

10/19/2000

PEDIATRIC PAGE

(Complete for all original application and all efficacy supplement)

Reports	<input checked="" type="checkbox"/>
IND Reports	<input type="checkbox"/>
NDA Reports	<input type="checkbox"/>
Pediatric Reports	<input type="checkbox"/>

NDA Number: 050698 Trade Name: BIAXIN (CLARITHROMYCIN)
 Supplement Number: 000 Generic Name: CLARITHROMYCIN
 Supplement Type: N Dosage Form:
 Regulatory Action: AP COMIS Indication: ANTIBIOTIC PEDIATRIC SUSPENSION
 Action Date: 12/23/93

Indication # 1 Community-acquired pneumonia
 Label Adequacy: Adequate for ALL pediatric age groups
 Formulation Needed: NO NEW FORMULATION is needed

Comments (if any): We note that Abbott has satisfied the pediatric study requirements for NDA 50-662/S-029 on the approved pediatric dosage form of clarithromycin (Biaxin Granules) for NDA 50-698, which is already labeled for Community-Acquired Pneumonia (CAP).

<u>Lower Range</u>	<u>Upper Range</u>	<u>Status</u>	<u>Date</u>
9 kg	33 kg	Completed	

This page was last edited on 10/19/00

Signature -

Date

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10/16/2000

**BIAXIN® FILMTAB®
(clarithromycin tablets)
NDA 50-662 (S-029)**

**REQUEST FOR WAIVER
OF PEDIATRIC STUDY REQUIREMENT**

In accordance with the provisions of 21 CFR 314.55(c)(2) Abbott Laboratories is requesting a full waiver of the pediatric study requirement. This request is based on the premise that the drug product does not represent a meaningful therapeutic benefit over existing treatments for pediatric patients and is not likely to be used in a substantial number of pediatric patients for the following reasons:

Background

Commercially available Biaxin® Filmtab®, NDA 50-662 (approved 10/31/91), are immediate-release, film coated, 250 mg and 500 mg tablets. Commercially available Biaxin® Granules, NDA 50-698 (approved 8/12/94), is a dry granule product which after constitution results in a suspension containing 125 mg, 187.5 mg or 250 mg of clarithromycin activity per 5 milliliters of suspension. Both Biaxin® Filmtab® and Biaxin® Granules are dosed q12h for upper and lower respiratory and skin infections, including community-acquired pneumonia for various pathogens.

The purpose of this supplement is to add the microorganism *Haemophilus influenzae* to the previously approved indication of community-acquired pneumonia for Biaxin® Filmtab®.

Justification

1. The objective of the study filed in this supplement (M98-927), was to compare the safety and efficacy of clarithromycin immediate-release tablets or clarithromycin extended-release tablets (NDA 50-775, currently under FDA review) to trovafloxacin for the treatment of community-acquired pneumonia. The comparator drug in this study, trovafloxacin, is not approved for use in the pediatric population, hence, the inclusion criteria stated that patients must be at least 18 years of age or greater. Therefore, no bacteriologic data for *Haemophilus influenzae* in the pediatric population is available from this study.

2. While the disease of community-acquired pneumonia affects patients of all age groups, Biaxin® Filmtab® does not represent a meaningful therapeutic benefit over existing treatments for pediatric patients for the following reasons. Based on data submitted towards the approval of Biaxin® Granules for the indication of community-acquired pneumonia (NDA 50-698, S-001, approved 7/17/96), in a study of 260 patients enrolled, out of 74 patients who were bacteriologically evaluable (38 patients on clarithromycin) only one *Haemophilus influenzae* isolate was found. Biaxin® Granules could be expected to be efficacious against *Haemophilus influenzae* in community-acquired pneumonia in pediatric patients since it has been demonstrated effective against the other pathogens which cause community-acquired pneumonia in children and the disease is not expected to be different in children from that in adults.

In addition, the introduction of *Haemophilus influenzae* type b (Hib) vaccines in 1988 supports the theory that finding *Haemophilus influenzae* isolates in pediatric patients would be very difficult. As reported by the American Academy of Pediatrics, the incidence of invasive Hib disease has declined by 95% in infants and young children since the introduction of the use of these vaccines and as a result, the US Public Health Service has targeted Hib disease in children younger than 5 years for elimination in this country¹.

3. For pediatric patients who can't swallow tablets, the currently approved pediatric dosage form of clarithromycin (Biaxin® Granules), which is indicated for community-acquired pneumonia due to *Mycoplasma pneumoniae*, *Streptococcus pneumoniae*, or *Chlamydia pneumoniae* (TWAR), is commercially available.

References

1. American Academy of Pediatrics. Peter, G., ed. 1997 *Red Book: Report of the Committee on Infectious Diseases*. 24th ed. Elk Grove Village, IL. American Academy of Pediatrics; 1997: pages .

**Certification Requirement
For Approval of a Drug Product
Concerning Using Services of Debarred Persons**

- DEBARMENT STATEMENT -

Any application for approval of a new drug product submitted on or after June 1, 1992, per FD&C Act Section 306 (k)(1), must include:

(1) a certification that the applicant did not and will not use in any capacity the services of any person debarred under Section 306, subsection (a) or (b), in connection with such application.

Abbott Laboratories certifies that it did not and will not use in any capacity the services of any person debarred under Section 306, subsection (a) or (b), in connection with such application.

[Generic Drug Enforcement Act of 1992, Section 306(k)(1) of 21 USC 335a(k)(1)].

/S/

Greg Bosco
Sr. Product Manager, PPD Regulatory Affairs
Abbott Laboratories
Dept. 491, Bldg. AP6B-1
(847) 937-6970
100 Abbott Park Road
Abbott Park, Illinois 60064-6108

12/17/99
Date

DEPARTMENT OF HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION

Form Approved: OMB No. 0910-0332
Expiration Date: April 30, 2000
See OMB Statement on page 2

APPLICATION TO MARKET A NEW DRUG, BIOLOGIC, OR AN
ANTIBIOTIC DRUG FOR HUMAN USE
(Title 21, Code of Federal Regulations, 314 & 601)

FOR FDA USE ONLY

APPLICATION NUMBER

APPLICANT INFORMATION

NAME OF APPLICANT Abbott Laboratories	DATE OF SUBMISSION December 17, 1999
TELEPHONE NO. (Include Area Code) (847) 937-6970	FACSIMILE (FAX) Number (Include Area Code) (847) 937-8002
APPLICANT ADDRESS (Number, Street, City, State, Country, ZIP Code or Mail Code, and U.S. License number if previously issued): 100 Abbott Park Road D-491/AP6B-1SW Abbott Park, IL 60064-6108	AUTHORIZED U.S. AGENT NAME & ADDRESS (Number, Street, City, State, ZIP Code, telephone & FAX number) IF APPLICABLE

PRODUCT DESCRIPTION

NEW DRUG OR ANTIBIOTIC APPLICATION NUMBER, OR BIOLOGICS LICENSE APPLICATION NUMBER (if previously issued) 50-662		
ESTABLISHED NAME (e.g., Proper name, USP/USAN name) Clarithromycin	PROPRIETARY NAME (trade name) IF ANY Biaxin® Filmtab®	
CHEMICAL/BIOCHEMICAL/BLOOD PRODUCT NAME (if any) 6-O-Methylerythromycin	CODE NAME (if any) Abbott-56268	
DOSAGE FORM Tablet	STRENGTHS: 250 mg/500 mg	ROUTE OF ADMINISTRATION: Oral
(PROPOSED) INDICATION(S) FOR USE: Antibiotic		

APPLICATION INFORMATION

APPLICATION TYPE (check one) <input checked="" type="checkbox"/> NEW DRUG APPLICATION (21 CFR 314.50) <input type="checkbox"/> ABBREVIATED APPLICATION (ANDA, AADA, 21 CFR 314.94) <input type="checkbox"/> BIOLOGICS LICENSE APPLICATION (21 CFR part 601)
IF AN NDA, IDENTIFY THE APPROPRIATE TYPE <input type="checkbox"/> 505 (b) (1) <input type="checkbox"/> 505 (b) (2) <input type="checkbox"/> 507
IF AN ANDA OR AADA, IDENTIFY THE REFERENCE LISTED DRUG PRODUCT THAT IS THE BASIS FOR THE SUBMISSION. Name of Drug: _____ Holder of Approved Application: _____

TYPE OF SUBMISSION (check one) <input type="checkbox"/> ORIGINAL APPLICATION <input type="checkbox"/> AMENDMENT TO A PENDING APPLICATION <input type="checkbox"/> RESUBMISSION <input type="checkbox"/> PRESUBMISSION <input type="checkbox"/> ANNUAL REPORT <input type="checkbox"/> ESTABLISHMENT DESCRIPTION SUPPLEMENT <input type="checkbox"/> SUPAC SUPPLEMENT <input checked="" type="checkbox"/> EFFICACY SUPPLEMENT <input type="checkbox"/> LABELING SUPPLEMENT <input type="checkbox"/> CHEMISTRY MANUFACTURING AND CONTROLS SUPPLEMENT <input type="checkbox"/> OTHER
--

REASON FOR SUBMISSION

PROPOSED MARKETING STATUS (check one) <input checked="" type="checkbox"/> PRESCRIPTION PRODUCT (P) <input type="checkbox"/> OVER THE COUNTER PRODUCT (OTC)

NUMBER OF VOLUMES SUBMITTED 8	THIS APPLICATION IS <input type="checkbox"/> PAPER <input checked="" type="checkbox"/> PAPER AND ELECTRONIC <input type="checkbox"/> ELECTRONIC
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ESTABLISHMENT INFORMATION

Provide locations of all manufacturing, packaging and control sites for drug substance and drug product (continuation sheets may be used if necessary). Include name, address, contact, telephone number, registration number (CFN), DMF number and manufacturing steps and/or type of testing (e.g. Final dosage form, Stability testing) conducted at the site. Please indicate whether the site is ready for inspection or if not, when it will be ready.

Cross References (list related License Applications, INDs, NDAs, PMAs, 510(k)s, IDEs, BMFs, and DMFs referenced in the current application)

This application contains the following items: (Check all that apply)

<input type="checkbox"/>	1. Index
<input checked="" type="checkbox"/>	2. Labeling (check one) <input checked="" type="checkbox"/> Draft Labeling <input type="checkbox"/> Final Printed Labeling
<input type="checkbox"/>	3. Summary (21 CFR 314.50 (c))
<input type="checkbox"/>	4. Chemistry section
	A. Chemistry, manufacturing, and controls information (e.g. 21 CFR 314.50 (d) (1), 21 CFR 601.2)
	B. Samples (21 CFR 314.50 (e) (1), 21 CFR 601.2 (a)) (Submit only upon FDA's request)
	C. Methods validation package (e.g. 21 CFR 314.50 (e) (2) (i), 21 CFR 601.2)
<input type="checkbox"/>	5. Nonclinical pharmacology and toxicology section (e.g. 21 CFR 314.50 (d) (2), 21 CFR 601.2)
<input type="checkbox"/>	6. Human pharmacokinetics and bioavailability section (e.g. 21 CFR 314.50 (d) (3), 21 CFR 601.2)
<input type="checkbox"/>	7. Clinical Microbiology (e.g. 21 CFR 314.50 (d) (4))
<input checked="" type="checkbox"/>	8. Clinical data section (e.g. 21 CFR 314.50 (d) (5), 21 CFR 601.2)
<input type="checkbox"/>	9. Safety update report (e.g. 21 CFR 314.50 (d) (5) (vi) (b), 21 CFR 601.2)
<input type="checkbox"/>	10. Statistical section (e.g. 21 CFR 314.50 (d) (6), 21 CFR 601.2)
<input type="checkbox"/>	11. Case report tabulations (e.g. 21 CFR 314.50 (f) (1), 21 CFR 601.2)
<input type="checkbox"/>	12. Case reports forms (e.g. 21 CFR 314.50 (f) (2), 21 CFR 601.2)
<input type="checkbox"/>	13. Patent information on any patent which claims the drug (21 U.S.C. 355 (b) or (c))
<input type="checkbox"/>	14. A patent certification with respect to any patent which claims the drug (21 U.S.C 355 (b) (2) or (j) (2) (A))
<input type="checkbox"/>	15. Establishment description (21 CFR Part 600, if applicable)
<input checked="" type="checkbox"/>	16. Debarment certification (FD&C Act 306 (k)(1))
<input type="checkbox"/>	17. Field copy certification (21 CFR 314.50 (k) (3))
<input checked="" type="checkbox"/>	18. User Fee Cover Sheet (Form FDA 3397)
<input checked="" type="checkbox"/>	19. OTHER (Specify) Financial Disclosure documentation.

CERTIFICATION

I agree to update this application with new safety information about the product that may reasonably affect the statement of contraindications, warnings, precautions, or adverse reactions in the draft labeling. I agree to submit safety update reports as provided for by regulation or as requested by FDA. If this application is approved, I agree to comply with all applicable laws and regulations that apply to approved applications, including, but not limited to the following:

1. Good manufacturing practice regulations in 21 CFR 210 and 211, 606, and/or 820.
2. Biological establishment standards in 21 CFR Part 600
3. Labeling regulations in 21 CFR 201, 606, 610, 660 and/or 809
4. In the case of a prescription drug or biological product, prescription drug advertising regulations in 21 CFR 202
5. Regulations on making changes in application in 21 CFR 314.70, 314.71, 314.72, 314.97, 314.99, and 601.12
6. Regulations on reports in 21 CFR 314.80, 314.81, 600.80 and 600.81
7. Local, state and Federal environmental impact laws

If this application applies to a drug product that FDA has proposed for scheduling under the Controlled Substances Act I agree not to market the product until the Drug Enforcement Administration makes a final scheduling decision.

The data and information in this submission have been reviewed and, to the best of my knowledge are certified to be true and accurate.

Warning: a willfully false statement is a criminal offense. U.S. Code, title 18, section 1001.

SIGNATURE OF RESPONSIBLE OFFICIAL OR AGENT <i>/S/</i>	TYPED NAME AND TITLE Greg Bosco Sr. Product Manager	DATE December 17, 1999
ADDRESS (Street, City, State, and ZIP Code) 100 Abbott Park Road Abbott Park, IL 60094-6118	Telephone Number (847) 937-6970	

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Washington, DC 20201

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