

ANDA 75-089

July 1, 1999

Apotex Corp.  
Attention: Marcy Macdonald  
U.S. Agent for: TorPharm  
50 Lakeview Parkway, Suite 127  
Vernon Hills, IL 60061

Dear Madam:

This is in reference to your abbreviated new drug application dated March 3, 1997, submitted pursuant to Section 505(j) of the Federal Food, Drug, and Cosmetic Act, for Ticlopidine Hydrochloride Tablets, 250 mg.

Reference is also made to our approvable letter dated April 28, 1999, and to your two amendments dated June 16, 23, and 30, 1999.

The listed drug product (RLD) referenced in your application, Ticlid Tablets of Hoffmann LaRoche, Inc., is subject to a period of patent protection which expires on May 27, 2003 (U.S. patent 4,591,592 [the '592 patent]. Your application contains a patent certification to the '592 patent under Section 505(j)(2)(A)(vii)(IV) of the Act stating that your manufacture, use, or sale of this drug product will not infringe on the patent. Section 505(j)(5)(B)(iii) of the Act provides that approval shall be made effective immediately unless an action is brought for infringement of the patent which is the subject of the certification before the expiration of forty-five days from the date the notice provided under paragraph (2)(B)(i) is received. You have notified the Agency that TorPharm has complied with the requirements of Section 505(j)(2)(B) of the Act and that no action for patent infringement was brought against TorPharm within the statutory forty-five day period.

We have completed the review of this abbreviated application and have concluded that the drug is safe and effective for use as recommended in the submitted labeling. Accordingly, the application is approved. The Division of Bioequivalence has determined your Ticlopidine Hydrochloride Tablets, 250 mg, to be bioequivalent and, therefore, therapeutically equivalent to the listed drug (Ticlid® Tablets, 250 mg of Hoffmann LaRoche, Inc.). Your dissolution testing should be incorporated into the stability and quality control program using the same method proposed in your application.

We note that TorPharm is the first applicant to submit a substantially complete ANDA with a Paragraph IV Certification for this drug product. Therefore, TorPharm is eligible for 180-days of generic market exclusivity for this drug product. Such exclusivity will begin on the day TorPharm begins commercial marketing of this drug product. With respect to the "first commercial marketing" trigger for the commencement of the exclusivity period, please refer to 21 CFR 314.107©(4). The Agency expects that TorPharm will begin commercial marketing of this drug product in a prompt manner. However, please be advised that this 180-day generic drug exclusivity period may be impacted by the final outcome of Civil Action No. 99-67 (CKK) [Teva Pharmaceuticals USA, Inc. v. The United States Food and Drug Administration, and Donna E. Shalala].

We note that Torpharm has committed to provide a post-approval educational program that will be implemented upon the distribution and marketing of Ticlopidine Hydrochloride Tablets that incorporates the following elements:

1. Target audience for an adequate educational campaign.
  - a. Physicians, including those within a health-care system such as an HMO or PPO, who prescribe Ticlopidine.
  - b. Other health-care professionals, such as nurse practitioners, physician assistants, and dispensing pharmacists, who are in a position in a given health-care system to educate patients and/or monitor compliance.
2. Substantive elements of an adequate educational campaign.
  - a. A clear statement that Ticlopidine is approved for use only in patients who are intolerant or allergic to aspirin therapy or who have failed aspirin therapy.
  - b. Discussion of the known risks of Ticlopidine therapy and how to mitigate them. An adequate discussion would include not only information about the frequency and potential severity of adverse events, but also information about the role that clinical observation and blood monitoring can play in preventing/minimizing their clinical severity. The discussion should include information about the following known adverse events:
    - (i) Neutropenia/agranulocytosis;
    - (ii) Thrombotic thrombocytopenic purpura (TTP); and

- (iii) Aplastic anemia.
- c. Information delineating the schedule for blood and clinical monitoring during the first three months of treatment, and describing the steps to be taken should the results of such monitoring be abnormal.
- d. A statement reinforcing the need for all health-care professionals to report observed serious and fatal adverse events with Ticlopidine administration to MedWatch.

TorPharm plans to implement this program by the following means:

1. Direct mailing to key physicians, pharmacists, and other health-care professionals.
2. Publication of educational information in selected, well recognized medical journals targeting health-care professionals who are in a position, in a given health-care system to educate patient and/or monitor compliance.
3. A web site providing on-line, continuing educational information. The web site address will be referenced in the direct mailing and publications.

TorPharm also commits to provide, at the time of product marketing, details of the educational program plan. This report will cover the range of activities that constitute the program and will include items such as timelines, target audiences and the modes of dissemination of the educational materials, web site identification, and copies of extant educational materials. In addition, TorPharm commits to provide a brief summary of the implementation efforts, as well as any other relevant data, associated with the educational program in each annual report.

Under 21 CFR 314.70, certain changes in the conditions described in this abbreviated application require an approved supplemental application before the change may be made.

Post-marketing reporting requirements for this abbreviated application are set forth in 21 CFR 314.80-81 and 314.98. The Office of Generic Drugs should be advised of any change in the marketing status of this drug.

We request that you submit, in duplicate, any proposed advertising or promotional copy which you intend to use in your initial advertising or promotional campaigns. Please submit all

proposed materials in draft or mock-up form, not final print. Submit both copies together with a copy of the final printed labeling to the Division of Drug Marketing, Advertising and Communications (HFD-40). Please do not use Form FD-2253 (Transmittal of Advertisements and Promotional Labeling for Drugs for Human Use) for this initial submission.

We call your attention to 21 CFR 314.81(b)(3) which requires that materials for any subsequent advertising or promotional campaign be submitted to our Division of Drug Marketing, Advertising, and Communications (HFD-40) with a completed Form FD-2253 at the time of their initial use.

Sincerely yours,

Roger L. Williams, M.D.  
Deputy Center Director  
for Pharmaceutical Science  
Center for Drug Evaluation and Research