



ANDA 202142

**ANDA APPROVAL**

Mikart, Inc  
1750 Chattahoochee Avenue, NW  
Atlanta, GA 30318  
Attention: Jason Waldroup  
Director, Regulatory Affairs

Dear Sir:

This letter is in reference to your abbreviated new drug application (ANDA) received for review on August 4, 2010, submitted pursuant to section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) for Oxycodone Hydrochloride and Acetaminophen Oral Solution, 10 mg/300 mg per 5 mL.<sup>1</sup>

Reference is also made to the complete response letter issued by this office on January 4, 2018, and to any amendments thereafter.

Reference is also made to the ANDA Suitability Petition (2006P-0007/CP1) submitted on January 6, 2006, under Section 505(j)(2)(c) of the FD&C Act, and approved on January 16, 2007. This petition requested that the Agency make a determination as to whether an application for Oxycodone Hydrochloride and Acetaminophen Oral Solution, 10 mg/300 mg per 5 mL was suitable for submission as an ANDA. This determination was necessary because the change in strength proposed in your ANDA differs from the established dosage of the reference listed drug product (RLD), Oxycodone Hydrochloride and Acetaminophen Oral Solution, 5 mg/325 mg per 5 mL, of West-Ward Pharmaceuticals International LTD (West-Ward).

We have completed the review of this ANDA and have concluded that adequate information has been presented to demonstrate that the drug is safe and effective for use as recommended in the submitted labeling. Accordingly, the ANDA is **approved**, effective on the date of this letter. We have determined that Oxycodone Hydrochloride and Acetaminophen Oral Solution, 10 mg/300 mg per 5 mL can be expected to have the same therapeutic effect as that of the listed drug product upon which the agency relied as the basis of safety and effectiveness.

Under section 506A of the FD&C Act, certain changes in the conditions described in this ANDA require an approved supplemental application before the change may be made.

**RISK EVALUATION AND MITIGATION STRATEGY (REMS) REQUIREMENTS**

Section 505-1 of the FD&C Act authorizes FDA to require the submission of a risk evaluation and mitigation strategy (REMS), if FDA determines that such a strategy is necessary to ensure that the benefits of the drug outweigh the risks [section 505-1(a)]. In accordance with section 505-1(i) of the FD&C Act, a drug that is the subject of an ANDA under section 505(j) is subject to certain elements of the REMS required for the applicable listed drug.

The details of the REMS requirements were outlined in our REMS notification letter dated September 18, 2018. In that letter, you were also notified that pursuant to section 505-1(i) of the FD&C Act, a drug that is the subject of an ANDA and the listed drug it references must use a single, shared system for elements to assure safe use (ETASU), unless FDA waives that requirement.

Your final proposed REMS referenced in Drug Master File (DMF) (b) (4); is approved, and will be posted on the FDA REMS website: <http://www.fda.gov/remss>

The REMS consists of a Medication Guide and ETASU.

Your REMS must be fully operational before you introduce **oxycodone** into interstate commerce.

The Opioid Analgesic REMS uses a shared system for the ETASU and the REMS assessments. This shared system REMS Program currently includes the products listed on the FDA REMS website, available at <http://www.fda.gov/remss>. Other products may be added in the future if additional NDAs or ANDAs are approved.

Under section 505-1(g)(2)(C) of the FD&C Act, FDA can require the submission of a REMS assessment if FDA determines an assessment is needed to evaluate whether the REMS should be modified to ensure the benefits of the drug outweigh the risks or to minimize the burden on the healthcare delivery system of complying with the REMS.

We remind you that you must include an adequate rationale to support a proposed REMS modification for the addition, modification, or removal of any goal or element of the REMS, as described in section 505-1(g)(4) of the FD&C Act.

We also remind you that section 505-1(f)(8) of the FD&C Act prohibits holders of an approved covered application from using any element to assure safe use to block or delay approval of an application under section 505(b)(2) or (j). A violation of this provision in 505-1(f) could result in enforcement action.

Prominently identify any submission containing a REMS assessment or proposed modifications of the REMS with the following wording in bold capital letters at the top of the first page of the submission as appropriate:

**ANDA 202142 REMS ASSESSMENT  
CROSS REFERENCE TO THE REMS DMF**

**NEW SUPPLEMENT FOR ANDA 202142/S-000  
CHANGES BEING EFFECTED IN 30 DAYS  
PROPOSED MINOR REMS MODIFICATION  
CROSS REFERENCE TO THE REMS DMF**

**or**

**NEW SUPPLEMENT FOR ANDA 202142/S-000**

**PRIOR APPROVAL SUPPLEMENT  
PROPOSED MAJOR REMS MODIFICATION  
CROSS REFERENCE TO THE REMS DMF**

*or*

**NEW SUPPLEMENT FOR ANDA 202142/S-000  
PRIOR APPROVAL SUPPLEMENT  
PROPOSED REMS MODIFICATIONS DUE TO SAFETY LABELING CHANGES  
SUBMITTED IN SUPPLEMENT XXX  
CROSS REFERENCE TO THE REMS DMF**

Should you choose to submit a REMS revision, prominently identify the submission containing the REMS revisions with the following wording in bold capital letters at the top of the first page of the submission:

**REMS REVISION FOR ANDA 202142  
CROSS REFERENCE TO THE REMS DMF**

The **Opioid Analgesic** REMS uses a Type V DMF for shared system REMS submissions. Please refer to the *Use of a Drug Master File for Shared System REMS Submissions: Guidance for Industry*, for instructions on how to submit and reference the Shared System REMS (SSR) DMF.

**SUBMISSION OF REMS DOCUMENT IN SPL FORMAT**

In addition to submitting the proposed REMS as described above, you can also submit the REMS document in Structured Product Labeling (SPL) format. If you intend to submit the REMS document in SPL format, include the SPL file with your proposed REMS submission.

For more information on submitting REMS in SPL format, please email [REMSWebsite@fda.hhs.gov](mailto:REMSWebsite@fda.hhs.gov)

**REPORTING REQUIREMENTS**

Postmarketing reporting requirements for this ANDA are set forth in 21 CFR 314.80-81 and 314.98 and at section 506I of the FD&C Act. The Agency should be advised of any change in the marketing status of this drug or if this drug will not be available for sale after approval. In particular, under section 506I(b) of the FD&C Act, you are required to notify the Agency in writing within 180 days from the date of this letter if this drug will not be available for sale within 180 days from the date of approval. As part of such written notification, you must include (1) the identity of the drug by established name and proprietary name (if any); (2) the ANDA number; (3) the strength of the drug; (4) the date on which the drug will be available for sale, if known; and (5) the reason for not marketing the drug after approval.

**PROMOTIONAL MATERIALS**

You may request advisory comments on proposed introductory advertising and promotional labeling materials prior to publication or dissemination. Please note that these submissions are voluntary. 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 (PI), Medication Guide, and patient PI (as applicable) to:

OPDP Regulatory Project Manager  
Food and Drug Administration  
Center for Drug Evaluation and Research  
Office of Prescription Drug Promotion  
5901-B Ammendale Road  
Beltsville, MD 20705

Alternatively, you may submit a request for advisory comments electronically in eCTD format. For more information about submitting promotional materials in eCTD format, see the draft Guidance for Industry (available at:

<http://www.fda.gov/downloads/Drugs/GuidanceComplianceRegulatoryInformation/Guidances/UCM443702.pdf>).

You must also submit final promotional materials and package insert(s), accompanied by a Form FDA 2253, at the time of initial dissemination or publication [21 CFR 314.81(b)(3)(i)]. Form FDA 2253 is available at

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

Information and Instructions for completing the form can be found at

<http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM375154.pdf>. For more information about submission of promotional materials to the Office of Prescription Drug Promotion (OPDP), see <http://www.fda.gov/AboutFDA/CentersOffices/CDER/ucm090142.htm>.

## **ANNUAL FACILITY FEES**

The Generic Drug User Fee Amendments of 2012 (GDUFA) (Public Law 112-144, Title III) established certain provisions<sup>2</sup> with respect to self-identification of facilities and payment of annual facility fees. Your ANDA identifies at least one facility that is subject to the self-identification requirement and payment of an annual facility fee. Self-identification must occur by June 1<sup>st</sup> of each year for the next fiscal year. Facility fees must be paid each year by the date specified in the *Federal Register* notice announcing facility fee amounts.

All finished dosage forms (FDFs) or active pharmaceutical ingredients (APIs) manufactured in a facility that has not met its obligations to self-identify or to pay fees when they are due will be deemed misbranded. This means that it will be a violation of federal law to ship these products in interstate commerce or to import them into the United States. Such violations can result in prosecution of those responsible, injunctions, or seizures of misbranded products. Products misbranded because of failure to self-identify or pay facility fees are subject to being denied entry into the United States.

## **CONTENT OF LABELING**

As soon as possible, but no later than 14 days from the date of this letter, submit, using the FDA automated drug registration and listing system (eLIST), the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format, as described at <http://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/default.htm>, that is identical in content to the approved labeling (including the package insert, and any patient package insert and/or Medication Guide that may be required). Information on submitting SPL

files using eLIST may be found in the guidance for industry titled “SPL Standard for Content of Labeling Technical Qs and As” at

<http://www.fda.gov/downloads/DrugsGuidanceComplianceRegulatoryInformation/Guidances/UCM072392.pdf>. The SPL will be accessible via publicly available labeling repositories.

Sincerely yours,

*{See appended electronic signature page}*

For Vincent Sansone, Pharm.D.  
Deputy Director  
Office of Regulatory Operations  
Office of Generic Drugs  
Center for Drug Evaluation and Research

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<sup>1</sup> We note that the RLD upon which you have based this ANDA, West-Ward’s Oxycodone Hydrochloride and Acetaminophen Oral Solution, 5 mg/325 mg per 5 mL, is no longer being marketed in the United States and is currently listed in the discontinued section of FDA’s *Approved Drug Products With Therapeutic Equivalence Evaluations* (the “Orange Book”). The Agency has determined that West-Ward’s Oxycodone Hydrochloride and Acetaminophen Oral Solution, 5 mg/325 mg per 5 mL, was not withdrawn from sale for reasons of safety or effectiveness. FDA published this determination in the *Federal Register* (82 FR 19735; April 28, 2017). This determination allows the Agency to approve ANDAs for the discontinued drug product.

<sup>2</sup> Some of these provisions were amended by the Generic Drug User Fee Amendments of 2017 (GDUFA II) (Public Law 115-52, Title III).



Sarah  
Kurtz

Digitally signed by Sarah Kurtz

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