



NDA 212295/S-001

## **SUPPLEMENT APPROVAL**

Acacia Pharma, Ltd  
8840 Allison Pointe Blvd., Suite 100  
Indianapolis, IN 46250

Attention: Paul A. Orth, PharmD  
Global Head of Regulatory Affairs

Dear Dr. Orth:

Please refer to your supplemental new drug application (sNDA), dated and received October 7, 2020, and your amendments, submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (FDCA) for Byfavo (remimazolam) for injection, for intravenous use, 20 mg per vial.

This “Changes Being Effected” supplemental new drug application includes revisions to HIGHLIGHTS and Section 9 DRUG ABUSE AND DEPENDENCE of the FULL PRESCRIBING INFORMATION to reflect the placement of remimazolam in Schedule IV of the Controlled Substance Act. Additional edits included clarification regarding the American Society of Anesthesiologists Physical Status Classification system and its reference as ASA versus ASA-PS throughout the label.

### **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.

### **WAIVER OF ½ PAGE LENGTH REQUIREMENT FOR HIGHLIGHTS**

Please note that we have previously granted a waiver of the requirements of 21 CFR 201.57(d)(8) regarding the length of Highlights of Prescribing Information.

## **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,), with the addition of any labeling changes in pending “Changes Being Effectuated” (CBE) supplements, 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 from publicly available labeling repositories.

Also within 14 days, amend all pending supplemental applications that include labeling changes for this NDA, including CBE supplements for which FDA has not yet issued an action letter, with the content of labeling [21 CFR 314.50(l)(1)(i)] in Microsoft Word format, that includes the changes approved in this supplemental application, as well as annual reportable changes. To facilitate review of your submission(s), provide a highlighted or marked-up copy that shows all changes, as well as a clean Microsoft Word version. The marked-up copy should provide appropriate annotations, including supplement number(s) and annual report date(s).

## **CARTON AND CONTAINER LABELING**

Submit final printed carton and container labeling that are identical to the carton and container labeling submitted on October 7, 2020, 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 *Providing Regulatory Submissions in Electronic Format — Certain Human Pharmaceutical Product Applications and Related Submissions Using the eCTD Specifications*. For administrative purposes, designate this submission “**Final Printed Carton and Container Labeling for approved NDA 212295/S-001.**” Approval of this submission by FDA is not required before the labeling is used.

## **REPORTING REQUIREMENTS**

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

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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>.

If you have any questions, contact Wing Yip, PharmD, Regulatory Project Manager, at 301-796-6615

Sincerely,

*{See appended electronic signature page}*

Rigoberto Roca, MD  
Director  
Division of Anesthesiology, Addiction Medicine,  
and Pain Medicine  
Office of Neuroscience  
Center for Drug Evaluation and Research

ENCLOSURES:

- Content of Labeling
  - Prescribing Information
- Carton and Container Labeling

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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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RIGOBERTO A ROCA  
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