



BLA 125514/S-138

**SUPPLEMENT APPROVAL/  
FULFILLMENT OF POSTMARKETING REQUIREMENT**

Merck Sharp & Dohme Corporation, a subsidiary of Merck & Co., Inc.  
Attention: Michelle Rushanan  
Director, Global Regulatory Affairs  
351 North Sumneytown Pike  
P.O. Box 1000, UG2C-50  
North Wales, PA 19454-2505

Dear Michelle Rushanan:

Please refer to your December 16, 2022, supplemental biologics license application (sBLA), and your amendments, submitted under section 351(a) of the Public Health Service Act for Keytruda (pembrolizumab).

This Prior Approval supplemental biologics license application provides for updates to Section 1, INDICATIONS AND USAGE, of the Keytruda (pembrolizumab) Prescribing Information for the conversion of the Merkel cell carcinoma (MCC) indication in both adult and pediatric patients from accelerated approval to regular approval.

**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 HIGHLIGHTS 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, via the FDA automated drug registration and listing system (eLIST), the content of labeling [21 CFR 601.14(b)] in structured product labeling (SPL) format, as described at FDA.gov,<sup>1</sup> that is identical to the enclosed labeling (text for the Prescribing Information)

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

and include the labeling changes proposed in any pending “Changes Being Effected” (CBE) supplements.

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.

Also within 14 days, amend all pending supplemental applications that include labeling changes for this BLA, including pending “Changes Being Effected” (CBE) supplements, for which FDA has not yet issued an action letter, with the content of labeling [21 CFR 601.12(f)] 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).

### **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(s) in pediatric patients unless this requirement is waived, deferred, or inapplicable.

Because this drug product for this indication has an orphan drug designation, you are exempt from this requirement.

### **SUBPART E FULFILLED**

We approved this BLA under the regulations at 21 CFR 601 Subpart E for Accelerated Approval of Biological Products for Serious or Life-Threatening Illnesses. Approval of this supplement fulfills your commitments made under 21 CFR 601.41.

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<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>.

## **FULFILLMENT OF POSTMARKETING REQUIREMENT**

We have received your submission dated December 16, 2022, containing the final report for the following postmarketing requirement listed in the December 19, 2018, approval letter for BLA 125514/S-045.

- 3546-1 Conduct and submit the results of a multicenter clinical trial to confirm the clinical benefit of pembrolizumab in patients with locally advanced or metastatic Merkel cell carcinoma (MCC) who have not received prior systemic therapies for metastatic MCC. The trial will enroll at least 50 patients to be followed for a minimum of 12 months to establish the objective response rate and characterize the durability of response. Overall survival, which is a secondary endpoint, will be followed to maturity until at least 70% of patients have died, or for an additional two years beyond the primary data analysis cut-off, to characterize effects on survival.

We have reviewed your submission and conclude that the above requirement was fulfilled.

This completes all of your postmarketing requirements and postmarketing commitments acknowledged in our December 19, 2018, letter. You are not required to report on the status of closed (released or fulfilled) PMRs/PMC in your annual report required under 21 CFR 601.70 of the FD&CA.

## **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>3</sup>

As required under 21 CFR 601.12(f)(4), you must submit final promotional materials, and the Prescribing Information, at the time of initial dissemination or publication, accompanied by a Form FDA 2253. Form FDA 2253 is available at FDA.gov.<sup>4</sup> Information and Instructions for completing the form can be found at FDA.gov.<sup>5</sup>

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<sup>3</sup> For the most recent version of a guidance, check the FDA guidance web page at <https://www.fda.gov/media/128163/download>.

<sup>4</sup> <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM083570.pdf>

<sup>5</sup> <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM375154.pdf>

## **REPORTING REQUIREMENTS**

We remind you that you must comply with reporting requirements for an approved BLA (in 21 CFR 600.80 and in 21 CFR 600.81).

If you have any questions, call Gina Davis, Senior Regulatory Health Project Manager, at (301) 796-0704.

Sincerely,

*{See appended electronic signature page}*

Steven Lemery, M.D., M.H.S.  
Director  
Division of Oncology 3  
Office of Oncologic Diseases  
Center for Drug Evaluation and Research

### ENCLOSURE:

- Content of Labeling
  - Prescribing Information

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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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STEVEN J LEMERY  
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