



NDA 213407/S-004

SUPPLEMENT APPROVAL

Nexus Pharmaceuticals Inc
400 Knightsbridge Parkway
Lincolnshire, IL 60069

Attention: Matt Cohen
Vice President of Scientific Affairs

Dear Mr. Cohen:

Please refer to your supplemental new drug application (sNDA) dated August 31, 2021, and subsequent amendments, submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (FDCA) for Emerphed (ephedrine sulfate injection).

We acknowledge receipt of your amendment dated October 31, 2022, which constituted a complete response to our August 29, 2022, action letter.

This Prior Approval sNDA provides for the addition of a 25 mg/5 mL (5 mg/mL) prefilled syringe and a 50 mg/10 mL (5 mg/mL) prefilled syringe. Further, this sNDA provides for the addition of a new drug product manufacturing site.

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, submitted on February 26, 2023.

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.¹ 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 Effected” (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*.²

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

² 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>.

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, 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

We acknowledge your February 21, 2023, submission containing final printed carton and container labeling.

DATING PERIOD

Based on the stability data submitted to date, the expiry dating period for Emerphed (ephedrine sulfate injection), 25 mg/5 mL (5 mg/mL) prefilled syringe and 50 mg/10 mL (5 mg/mL) prefilled syringe shall be 18 months from the date of manufacture when stored at 25°C; excursions permitted to 15°C to 30°C.

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 in pediatric patients unless this requirement is waived, deferred, or inapplicable.

Because none of these criteria apply to your application, you are exempt from this requirement.

PATENT LISTING REQUIREMENTS

Pursuant to 21 CFR 314.53(d)(2) and 314.70(f), certain changes to an approved NDA submitted in a supplement require you to submit patent information for listing in the Orange Book upon approval of the supplement. You must submit the patent information required by 21 CFR 314.53(d)(2)(i)(A) through (C) and 314.53(d)(2)(ii)(A) and (C), as applicable, to FDA on Form FDA 3542 within 30 days after the date of approval of the supplement for the patent information to be timely filed (see 21 CFR 314.53(c)(2)(ii)). You also must ensure that any changes to your approved NDA that require the submission of a request to remove patent information from the Orange Book are

submitted to FDA at the time of approval of the supplement pursuant to 21 CFR 314.53(d)(2)(ii)(B) and 314.53(f)(2)(iv).

REPORTING REQUIREMENTS

We remind you that you must comply with reporting requirements for an approved NDA (21 CFR 314.80 and 314.81). Your product is a Part 3 combination product (21 CFR 3.2(e)); therefore, you must also comply with postmarketing safety reporting requirements for an approved combination product (21 CFR 4, Subpart B). Additional information on combination product postmarketing safety reporting is available at FDA.gov.³

We remind you that you must comply with the requirements for an approved NDA set forth under 21 CFR 314.80 and 314.81.

If you have any questions, call Kimberly Compton, RPh, RAC, Senior Regulatory Project Manager, at (301) 796-1191.

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

³ <https://www.fda.gov/combination-products/guidance-regulatory-information/postmarketing-safety-reporting-combination-products>

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.

/s/

RIGOBERTO A ROCA
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