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*APPLICATION NUMBER:*

**ANDA 40-458**

**APPROVAL LETTER**

ANDA 40-458

APR 25 2003

Mikart, Inc.  
Attention: Cerie B. McDonald  
1750 Chattahoochee Avenue, N.W.  
Atlanta, Georgia 30318

Dear Madam:

This is in reference to your abbreviated new drug application (ANDA) dated November 15, 2001, submitted pursuant to Section 505(j) of the Federal Food, Drug, and Cosmetic Act (the Act), for Carbinoxamine Maleate Oral Solution, 4 mg/5 mL.

Reference is also made to your amendments dated October 17, November 21, and December 9, 2002, and March 13, 2003. We also refer to the notice in the Federal Register dated April 10, 2000, (Volume 65, No. 69, page 18998) announcing the agency's determination that Carbinoxamine Maleate Elixir (Clistin®), 4 mg/5 mL, was not withdrawn from sale for reasons of safety or effectiveness. Because Clistin® is currently listed in the discontinued section of the agency's publication entitled Approved Drug Products with Therapeutic Equivalence Evaluations, the "Orange Book", such a determination is needed in order to allow the agency to accept ANDAs for this drug product.

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 Carbinoxamine Maleate Oral Solution, 4mg/5mL, to be bioequivalent and, therefore, therapeutically equivalent to the listed drug (Clistin Oral Elixir, 4mg/5mL, of Ortho McNeil Pharmaceutical, Inc.).

Under Section 506A of the Act, 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 that 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 proposed or final printed labeling to the Division of Drug Marketing, Advertising, and Communications (HFD-40). Please do not use Form FDA 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 FDA 2253 at the time of their initial use.

Sincerely yours,



Gary Buehler 4/25/03  
Director  
Office of Generic Drugs  
Center for Drug Evaluation and Research