

**CENTER FOR DRUG EVALUATION AND
RESEARCH**

APPLICATION NUMBER:

22-023

APPROVAL LETTER



NDA 22-023

NDA APPROVAL

Merck & Co., Inc.
Attention: Nicholas Andrew
Associate Director, Worldwide Regulatory Affairs
P.O. Box 2000, RY 33-200
Rahway, NJ 07065-0900

Dear Mr. Andrew:

Please refer to your new drug application (NDA) dated March 31, 2006, received April 3, 2006, submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act for Emend (fosaprepitant dimeglumine) for Injection, 115 mg.

We acknowledge receipt of your submissions dated July 27, 2007; September 28, 2007; October 31, 2007; December 4, 2007; December 17, 2007; January 18, 2008; January 24, 2008; and January 25, 2008.

The July 27, 2007 submission constituted a complete response to our May 3, 2007 action letter.

This new drug application provides for the use of Emend (fosaprepitant dimeglumine) for Injection, 115 mg for:

- the prevention of acute and delayed nausea and vomiting associated with initial and repeat courses of highly emetogenic cancer chemotherapy, including high-dose cisplatin.
- the prevention of nausea and vomiting associated with initial and repeat courses of moderately emetogenic cancer chemotherapy.

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 text.

CONTENT OF LABELING

As soon as possible, but no later than 14 days from the date of this letter, please submit the content of labeling [21 CFR 314.50(1)] in structured product labeling (SPL) format as described at <http://www.fda.gov/oc/datacouncil/spl.html> that is identical to the enclosed labeling (text for the package insert, text for the patient package insert). Upon receipt, we will transmit that version to the National Library of Medicine for public dissemination. For administrative purposes, please designate this submission, "SPL for approved NDA 22-023."

CARTON AND IMMEDIATE CONTAINER LABELS

Submit final printed carton and container labels that are identical to the submitted carton and immediate container labels dated January 25, 2008 as soon as they are available, but no more than 30 days after they are printed. Please submit these labels electronically according to the guidance for industry titled *Providing Regulatory Submissions in Electronic Format – Human Pharmaceutical Product Applications and Related Submissions Using the eCTD Specifications (October 2005)*. Alternatively, you may submit 12 paper copies, with 6 of the copies individually mounted on heavy-weight paper or similar material. For administrative purposes, designate this submission “**Final Printed Carton and Container Labels for approved NDA 22-023.**”

Approval of this submission by FDA is not required before the labeling is used.

Marketing the product(s) with FPL that is not identical to the approved labeling text may render the product misbranded and an unapproved new drug.

PEDIATRIC RESEARCH EQUITY ACT (PREA)

All applications for new active ingredients, new dosage forms, new indications, new routes of administration, and new dosing regimens are required to contain an assessment of the safety and effectiveness of the product in pediatric patients unless this requirement is waived or deferred. We are waiving the pediatric study requirement for ages 0 months to <6 months because the necessary studies are impossible or highly impracticable because the number of pediatric cancer patients in this age group is so small. We are deferring pediatric studies for ages 6 months to 17 years for this application because adult studies have just been completed and additional pharmacokinetic information is needed.

Your deferred pediatric studies required under section 2 of the Pediatric Research Equity Act (PREA) are considered required postmarketing study commitments. The status of this postmarketing study shall be reported annually according to 21 CFR 314.81. This commitment is listed below.

1. A study in adolescents and younger pediatric patients receiving emetogenic chemotherapy (HEC or MEC) to evaluate fosaprepitant PK, safety, and tolerability.

Study Start Date: December 31, 2008

Study Completion Date: March 31, 2011

Final Report Submission: June 30, 2011

Submit final study reports to this NDA. For administrative purposes, all submissions related to this pediatric postmarketing study commitment must be clearly designated “**Required Pediatric Study Commitments**”.

POSTMARKETING COMMITMENTS

We remind you of your postmarketing study commitment in your submission dated January 24, 2008. This commitment is listed below.

2. Further characterize the effects of fosaprepitant on blood pressure.

Statistical Plan Submission: by April 30, 2008

Study Start: by April 30, 2008

Final Report Submission: by July 31, 2008

Submit clinical protocols to your IND for this product. Submit nonclinical and chemistry, manufacturing, and controls protocols and all study final reports to this NDA. In addition, under 21 CFR 314.81(b)(2)(vii) and 314.81(b)(2)(viii), you should include a status summary of each commitment in your annual report to this NDA. The status summary should include expected summary completion and final report submission dates, any changes in plans since the last annual report, and, for clinical studies, number of patients entered into each study. All submissions, including supplements, relating to these postmarketing study commitments should be prominently labeled **“Postmarketing Study Commitment Protocol”**, **“Postmarketing Study Commitment Final Report”**, or **“Postmarketing Study Commitment Correspondence.”**

PROMOTIONAL MATERIALS

You may request advisory comments on proposed introductory advertising and promotional labeling. 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(s) to:

Food and Drug Administration
Center for Drug Evaluation and Research
Division of Drug Marketing, Advertising, and Communications
5901-B Ammendale Road
Beltsville, MD 20705-1266

As required under 21 CFR 314.81(b)(3)(i), you must submit final promotional materials, and the package insert(s), at the time of initial dissemination or publication, accompanied by a Form FDA 2253. For instruction on completing the Form FDA 2253, see page 2 of the Form. For more information about submission of promotional materials to the Division of Drug Marketing, Advertising, and Communications (DDMAC), see www.fda.gov/cder/ddmac.

LETTERS TO HEALTH CARE PROFESSIONALS

If you issue a letter communicating important safety related information about this drug product (i.e., a “Dear Health Care Professional” letter), we request that you submit an electronic copy of the letter to both this NDA and to the following address:

MedWatch
Food and Drug Administration
HFD-001, Suite 5100
5515 Security Lane
Rockville, MD 20852

REPORTING REQUIREMENTS

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

If you have any questions, call Jagjit Grewal, Regulatory Project Manager, at (301) 796-0846.

Sincerely,

{See appended electronic signature page}

Joyce Korvick, M.D., MPH
Deputy Division Director
Division of Gastroenterology Products
Office of Drug Evaluation III
Center for Drug Evaluation and Research

Enclosure: Package Insert
Patient Package Insert

**This is a representation of an electronic record that was signed electronically and
this page is the manifestation of the electronic signature.**

/s/

Joyce Korvick
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