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August 22, 2001

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Mary Catchings
Office of Regulatory Policy
1451 Rockville Pike
HFD – 7; WOC II
Rockville, Maryland 20852

Re: Withdrawal of Citizen Petition: Alternate Reference Listed Drug
Docket : 99P-2146 CP1: June 30, 1999

Dear Mary:

This letter is to confirm our telephone conversation of August 14, 2001 regarding the above-petitioned Citizen Petition. We submitted this petition on behalf of a client on June 30, 1999 which requested FDA to designate Fosamax® 10mg oral tablets, manufactured by Merck, as an alternate reference listed drug. Because this is no longer a relevant issue for our client, we hereby withdraw our Citizen Petition (99P-2146CP1) without prejudice.

Should you have any questions regarding this issue, please feel free to contact me.

Sincerely,

Kathleen D. Jaeger

99P-2146

WDL 1

DC-461052 v1 0306556-0100

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service
Food and Drug Administration

Memorandum

Date August 23, 2001

From Mary Catchings (HFD-7) M. Catchings 01 AUG 24 P1:52

Subject Docket No. 99P-2146/CP1

To Dockets Management Branch (HFA-305)

Please file the attached letter from Kathleen Jaeger (Kirkpatrick & Lockhart, LLP) dated August 22, 2001, in the docket indicated above. The letter withdraws the citizen petition filed in the docket.

Thank you.

Attachment