HFA- 305
Dockets

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

King & Spalding
Attention: Christina M. Markus
1730 Pennsylvania Avenue, N.W.
Washington, DC 20006-4706

FEB 12 2003

Docket No. 02P-0285/CP1

Dear Ms. Markus:

This is in response to your petition filed on June 24, 2002, requesting permission to file an Abbreviated New Drug Application (ANDA) for the following drug products: Oxycodone Hydrochloride and Acetaminophen Tablets, 15 mg/325 mg and 20 mg/325 mg. The listed drug product to which you refer in your petition is Percocet® (Oxycodone Hydrochloride and Acetaminophen) Tablets, 10 mg/325 mg, ANDA 40-434, held by Endo Pharmaceuticals.

This petition was reviewed pursuant to Section 505(j)(2)(C) of the Federal Food, Drug, and Cosmetic Act (Act). Under Section 505(j)(2)(C)(i) of the Act such a petition will be approved unless the Food and Drug Administration (FDA) finds that investigations must be conducted to show the safety and effectiveness of the strengths for the proposed drug products that differ from the strength of the listed drug product.

Your request involves changes in strength of the oxycodone component from that of the listed drug product (i.e., from 10 mg to 15 mg and 20 mg, which result in new higher strengths for the oxycodone hydrochloride component). The changes in strength that you request are the types of changes that are authorized under Section 505(j)(2)(C) of the Act.

The FDA has determined that your proposed changes in strength raise questions of safety and effectiveness, and has concluded that clinical trials are required for these specific drug products. FDA has safety concerns regarding the possible exposure of opioid naïve patients to the higher doses of oxycodone hydrochloride in the proposed products, as Oxycodone Hydrochloride and Acetaminophen Tablets are often prescribed to patients seeking medical attention for acute pain conditions. These patients are often opioid naïve and may be harmed from the administration of higher oxycodone hydrochloride doses. Furthermore, the change in strength, when considering the proposed Oxycodone Hydrochloride and Acetaminophen Tablets, 20 mg/325 mg strength, is not supported by the approved labeling for the listed drug Percocet®. Specifically, the proposed Oxycodone Hydrochloride and Acetaminophen Tablets, 20 mg /325 mg strength can not conform to the dosing recommendations of one tablet every six hours as needed for pain as is recommended for the listed drug. The labeling that you propose recommends the usual adult dose of one tablet every six hours, but limits the maximum daily dose to three tablets, and is likely to lead to medication errors and increases the risk to opioid naive patients. Therefore, FDA is denying the petition under Section 505(j)(2)(C)(i) because investigations are necessary to show

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the safety and effectiveness of the proposed drug product. Please contact the Division of Anesthetic, Critical Care and Addiction Drug Products at (301) 827-7418 if you wish to pursue approval of your product under Section 505(b) of the Act.

If you disagree with our determination concerning the acceptability of your petition as originally submitted, you may seek a reconsideration of the denial following the procedures set forth in 21 CFR 10.33. Requests for reconsideration must be based solely on the information contained in your original petition and must be submitted in accordance with 21 CFR Section 10.20, in the format outlined in Section 10.33 and no later than 30 days after the date of the decision involved. Petitions for reconsideration should be filed with the Dockets Management Branch at the address listed below. If there is additional information, not included as part of your original submission that you would like the FDA to consider, you should submit a new petition including all the necessary information to the Dockets Management Branch.

A copy of this letter denying your petition will be placed on public display in the Dockets Management Branch, Room 1061, Mail Stop HFA-305, 5630 Fishers Lane, Rockville, MD 20852.

Sincerely yours,

Gary J. Buehler
Director
Office of Generic Drugs
Center for Drug Evaluation and Research