DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

MAR - 6 2008

NADA 141-275 (L0002)

Janet Cunningham
Regulatory Affairs Consultant
Bayer HealthCare LLC
Animal Health Division
P.O. Box 390
Shawnee Mission, Kansas 66201

RE: NADA 141-275 *Profender® Topical Solution (emodepside/praziquantel)*

Dear Ms. Cunningham:

The U.S. Food and Drug Administration, Center for Veterinary Medicine (CVM), Division of Surveillance has reviewed ten (10) promotional pieces for the product *Profender® Topical Solution (emodepside/praziquantel), NADA 141-275*, and has determined that these promotional materials contain misleading human safety information, causing the drug to be misbranded within the meaning of sections 502(a) and (n) [21 U.S.C. 352(a) and (n)] of the Federal Food, Drug and Cosmetic Act (the Act).

The promotional materials subject to our review for *Profender® Topical Solution (emodepside/praziquantel), NADA 141-275,* included the following pieces:

1. "In-Clinic Seminar" PowerPoint presentation (P07649n).
2. Dear Doctor letter (P07504).
3. The website: bayerdvm.com/products/profender (P07630n).
4. Detailer: "QUICK REFERENCE GUIDE FOR Profender Topical Solution" (P07645).
5. Promotional video for Trade Show Booths (P07739n).
6. Statement stuffer (P07348).
7. Fact Sheet (P07659n).
8. News release dated 8/1/07 (P07575n).
9. Promotional detailer (P07502).
10. Shelf talker (P07651).

Background

Profender® Topical Solution (emodepside/praziquantel), NADA 141-275, is indicated for the treatment and control of hookworm, roundworm and tapeworm infections in cats 8 weeks and older and weighing at least 2.2 pounds. Approved labeling for *Profender® Topical Solution* includes the following bolded human warning statement:

> **To prevent accidental ingestion of the product, children should not come in contact with the application site for twenty-four (24) hours while the product is being absorbed.**

The User Safety section of the Freedom of Information (FOI) summary for *Profender® Topical Solution (emodepside/praziquantel), NADA 141-275*, explains the basis for the bolded human warning statement as follows:

> The bolded human warning above was based on Human Risk Assessment determinations. The risk assessment estimated the potential human (adult and toddler) acute and chronic dermal and toddler hand-to-mouth oral exposure levels and levels of concern from contact with a treated cat. The risk assessment factors pet surface-to-human transfer dose, dermal absorption, and No Observable Adverse Effect Levels (NOAEL) were derived from data for emodepside and praziquantel in toxicity or pharmacokinetic studies in laboratory animals and cotton glove-stroking (drug recovery) studies in cats.

Discussion

Several of the promotional pieces (P07649n; P07504; P07630n; P07645; P07739n; P07659n; and P07575n) listed above contain the statement:

> To prevent accidental ingestion of the product, children should not come in contact with the application site for **up to** twenty-four (24) hours while the product is being absorbed. (Emphasis added.)

These statements, when they contain the words "up to twenty-four (24) hours" instead of "for twenty-four (24) hours," are not consistent with the approved labeling for the product. The approved labeling states that children should not be in contact with the application site **for** twenty-four (24) hours. These promotional pieces are misleading because they imply that children could safely be exposed to the application site prior to 24 hours after application of the product, a statement directly belied by the Human Risk Assessment determinations. The promotional pieces are misleading because they minimize the risk of accidental ingestion by children who come in contact with feline application sites in the first 24 hours after treatment with *Profender® Topical Solution.* Therefore, these promotional pieces cause *Profender® Topical Solution* to be misbranded within the meaning of sections 502(a) and (n) [21 U.S.C. 352(a) and (n)] of the Act.

Further, several of the promotional pieces (PO7651, PO7502, and PO7348) fail to present the following human warning statement in the same emphasis (bolded type) as in the approved labeling:

> **To prevent accidental ingestion of the product, children should not come in contact with the application site for twenty-four (24) hours while the product is being absorbed.**

The failure to provide this warning statement in bolded type violates 21 C.F.R. 201.105(d)(1), which requires that certain labeling include adequate information for use, including any relevant warnings, in "the same language and emphasis as labeling approved or permitted under the provisions of section 512" [21 U.S.C. 360b] of the Act.

In addition, the promotional piece, "In-Clinic Seminar" PowerPoint presentation (P07649n), contains repeated photographic images of young children holding and cuddling cats. In fact, in all of these photographic images, the young children depicted are in direct contact with the application site (*i.e.*, the base of the cat's skull). This promotional piece is misleading because these images, as depicted, minimize the risk of accidental ingestion by children who come in contact with feline application sites in the first 24 hours after treatment with *Profender® Topical Solution*. Therefore, this piece causes *Profender® Topical Solution* to be misbranded within the meaning of sections 502(a) and (n) [21 U.S.C. 352(a) and (n)] of the Act.

Conclusion and Requested Action

The inaccurate human warning statement and the photographic images of children holding cats, as depicted, misbrand *Profender® Topical Solution* within the meaning of sections 502(a) and (n) [21 U.S.C. 352(a) and (n)] of the Act. The failure to provide required warning statements in the same emphasis as in the approved labeling violates 21 C.F.R. 201.105(d)(1).

The violations discussed in this letter do not necessarily constitute an exhaustive list. It is your responsibility to see that your promotional materials for ***Profender® Topical Solution (emodepside/praziquantel)***, as well as other Bayer Health Care LLC products, comply with the requirements of the Act and its implementing regulations.

The Division of Surveillance requests that Bayer Health Care LLC immediately cease the use of the promotional materials identified above and all similar promotional items. Future promotional materials should contain truthful and non-misleading information that is consistent with the approved labeling. Please submit a written response within thirty (30) days of receipt of this letter describing your intent to comply with this request. Please direct your response to me at the Food and Drug Administration, Center for Veterinary Medicine, Division of Surveillance, HFV-210, 7519 Standish Place, Rockville, MD 20855. We remind you that only written communications are official.

Sincerely yours,

Lynn O. Post, DVM, PhD, DABVT
Director, Division of Surveillance
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cc:
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