



NDA 022038/S-12

SUPPLEMENT APPROVAL

Vertical Pharmaceuticals, LLC
Attention: Laura Hawkins
Senior Manager, Regulatory Affairs
1880 McFarland Pkwy, Suite 110-B
Alpharetta, GA 30005

Dear Laura Hawkins:

Refer to your supplemental new drug application (sNDA) dated and received November 30, 2023, submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (FDCA) for Divigel (estradiol gel).

We also refer to our letter dated November 6, 2023, notifying you, under Section 505(o)(4) of the FDCA, of new safety information that we have determined should be included in the labeling for menopausal hormone therapy (MHT) products. This information pertains to the risk of breast cancer associated with the duration of use of MHT products.

This supplemental new drug application provides for revisions to the labeling for Divigel, consistent with our November 6, 2023, Safety Labeling Change Notification.

APPROVAL & LABELING

We have completed our review of this application. It is approved, effective on the date of this letter, for use as recommended in the enclosed agreed-upon labeling.

CONTENT OF LABELING

As soon as possible, but no later than 14 days from the date of this letter, submit the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format using the FDA automated drug registration and listing system (eLIST), as described at FDA.gov.¹ Content of labeling must be identical to the enclosed labeling (text for the Prescribing Information, Patient Package Insert), with the addition of any labeling changes in pending "Changes Being Effected" (CBE) supplements, as well as annual reportable changes not included in the enclosed labeling.

¹ <http://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/default.htm>

Information on submitting SPL files using eList may be found in the guidance for industry *SPL Standard for Content of Labeling Technical Qs and As*.²

The SPL will be accessible from publicly available labeling repositories.

REQUIRED PEDIATRIC ASSESSMENTS

Under the Pediatric Research Equity Act (PREA) (21 U.S.C. 355c), all applications for new active ingredients (which includes new salts and new fixed combinations), new indications, new dosage forms, new dosing regimens, or new routes of administration are required to contain an assessment of the safety and effectiveness of the product for the claimed indication in pediatric patients unless this requirement is waived, deferred, or inapplicable.

Because none of these criteria apply to your application, you are exempt from this requirement.

PROMOTIONAL MATERIALS

All promotional materials that include representations about your drug product must be promptly revised to be consistent with the labeling changes approved in this supplement, including any new safety-related information [21 CFR 314.70(a)(4)]. The revisions in your promotional materials should include prominent disclosure of the important new safety-related information that appears in the revised labeling. Within 7 days of receipt of this letter, submit your statement of intent to comply with 21 CFR 314.70(a)(4).

REPORTING REQUIREMENTS

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

² We update guidances periodically. For the most recent version of a guidance, check the FDA Guidance Documents Database <https://www.fda.gov/RegulatoryInformation/Guidances/default.htm>.

If you have any questions, call Meredith Hillig, MS, Safety Regulatory Project Manager, at (301) 796-1218.

Sincerely,

{See appended electronic signature page}

Catherine Pilgrim-Grayson, M.D., M.P.H.
Deputy Director for Safety Division of Urology,
Obstetrics, and Gynecology
Office of Rare Diseases, Pediatrics,
Urologic, and Reproductive Products
Center for Drug Evaluation and Research

ENCLOSURES:

- Content of Labeling
 - Prescribing Information
 - Patient Package Insert

This is a representation of an electronic record that was signed electronically. Following this are manifestations of any and all electronic signatures for this electronic record.

/s/

CATHERINE A PILGRIM-GRAYSON
02/15/2024 09:27:39 AM