ANDA 75-634 May 25, 2000

Bedford Laboratories
Attention: Shahid Ahmed
270 Northfield Road
Bedford, OH 44146

Dear Sir:

This is in reference to your abbreviated new drug application dated May 7, 1999, submitted pursuant to Section 505(j) of the Federal Food, Drug, and Cosmetic Act (Act), for Enalaprilat Injection, 1.25 mg/mL, packaged in 1 mL and 2 mL single-dose vials).

Reference is also made to your amendments dated August 31, and November 15, 1999; and March 22, and April 14, 2000.

We have completed the review of this abbreviated application and have concluded that, based upon the information you have presented to date, the drug product is safe and effective for use as recommended in the submitted labeling. Therefore, the application is **tentatively approved**. This determination is based upon information available to the Agency at this time, (i.e., information in your application and the status of current good manufacturing practices (CGMPs) of the facilities used in the manufacture and testing of the drug product), and is subject to change on the basis of new information that may come to our attention.

The reference listed drug product (RLD) upon which you have based your application, Vasotec® Injection of Merck Research Laboratories, is currently subject to a period of patent protection (U.S. Patent No. 4,374,829, the “829 patent”). Your application contains a Paragraph III Certification to the ‘829 patent under Section 505(j)(2)(A)(vii)(III) of the Act stating that you will not market this drug product prior to the expiration of this patent. As noted in the current edition of the Agency’s publication entitled “Approved Drug Products with Therapeutic Equivalence Evaluations”, the “Orange Book”, this patent was scheduled to expire on

February 22, 2000. However, Section 111 of Title I of the Food and Drug Administration Modernization Act of 1997 (the Modernization Act) created Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a). Section 505A permits the sponsor of the RLD to obtain an additional six months of exclusivity if, in accord with the statute, the sponsor submits data previously requested by the Agency relating to the safe and effective use of the drug in a pediatric population. The RLD holder submitted data to support the use of enalapril maleate in a pediatric population. Following its review of these data, the Agency's Pediatric Exclusivity Board concluded that the data supported the granting of an additional six months of exclusivity to the RLD. Consequently, awarding of this exclusivity will effectively lengthen the life of the '829 patent for an additional six months. Therefore, final approval of your application may not be made effective pursuant to 21 U.S.C. 355(j)(5)(B)(ii) of the Act until the additional exclusivity period granted to the RLD holder has expired; i.e., currently August 22, 2000.

Because the Agency is granting a tentative approval for this application, please amend the application at least 60 days prior to the date you believe your application will be eligible for final approval. This amendment should identify changes, if any, in the conditions under which the product was tentatively approved, and should include updated information such as final-printed labeling, chemistry, manufacturing, and controls data as appropriate. Since this amendment also serves to reactivate your application, it should be submitted even if no changes were made. The amendment should be designated clearly in your cover letter as a MINOR AMENDMENT. In addition to this amendment, the Agency may request at any time prior to the final date of approval that you submit an additional amendment containing the information described above.

Failure to submit either or, if requested, both amendments may result in rescission of the tentative approval status of your application, or may result in a delay in the issuance of the final approval letter.

Any significant changes in the conditions outlined in this abbreviated application as well as changes in the status of the manufacturing and testing facilities' compliance with current good manufacturing practices (CGMPs) are subject to

Agency review before final approval of the application will be made.

Please note that this drug product may not be marketed without final Agency approval under Section 505 of the Act. The introduction or delivery for introduction into interstate commerce of this drug product before the final approval date is prohibited under Section 501 of the Act and 21 U.S.C. 331(d). Also, until the Agency issues the final approval letter, this drug product will not be deemed approved for marketing under 21 U.S.C. 355 and will not be listed in the "Approved Drug Products with Therapeutic Equivalence Evaluations" list (the "Orange Book"), published by the Agency. Should you believe that there are grounds for issuing the final approval letter prior to August 22, 2000, you should amend your application accordingly.

At the time you submit any amendments, you should contact Elaine Hu, Project Manager, at (301) 827B5848, for further instructions.

Sincerely yours,

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