DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Silver Spring, MD 20993

ANDA 090728

Zydus Pharmaceuticals (USA) Inc.
Attention: G. Srinivas
Head of Regulatory Affairs
73 Route 31 North
Pennington, NJ 08534

Dear Sir:

This is in reference to your abbreviated new drug application (ANDA) received on August 4, 2008, and submitted pursuant to section 505(j) of the Federal Food, Drug, and Cosmetic Act (the Act), for Duloxetine Delayed-release Capsules USP, 20 mg, 30 mg, and 60 mg.

Reference is also made to the tentative approval letter issued by this office on September 16, 2010, and to your amendments dated August 9, August 11, and October 8, 2011; July 31, 2012; March 30, April 17, April 27, May 10, September 21, and November 11, 2013; and January 6, 2014.

We have completed the review of this ANDA and have concluded that adequate information has been presented to demonstrate that the drug is safe and effective for use as recommended in the submitted labeling. Accordingly the ANDA is approved, effective on the date of this letter. The Division of Bioequivalence has determined your Duloxetine Delayed-release Capsules USP, 20 mg, 30 mg, and 60 mg, to be bioequivalent and, therefore, therapeutically equivalent to the reference listed drug (RLD), Cymbalta Delayed-release Capsules, 20 mg, 30 mg and 60 mg, respectively, of Eli Lilly & Company (Lilly).

Your dissolution testing should be incorporated into the stability and quality control program using the same method proposed in your application. The "interim" dissolution specifications are as follows:

Apparatus:	USP Apparatus I (basket)
Rotation speed:	100 rpm
Media:	Acid Stage: 0.1 N HCl

	Buffer Stage: pH 6.8 Phosphate Buffer
Volume:	1000 mL

The drug products should meet the following "interim" specifications:

Acid Stage:	Not more than (b) (4) of the labeled amount of the drug is ssolved in 120 minutes;
Buffer Stage:	Not less than (b) (4) (Q) of the labeled amount of the g is dissolved in 60 minutes

The "interim" dissolution test(s) and tolerances should be finalized by submitting dissolution data from the first three production size batches. These data should be submitted as a "Special Supplement – Changes Being Effected" if there are no revisions to be made to the "interim" specifications, or if the final specifications are tighter than the "interim" specifications. In all other instances, the information should be submitted in the form of a Prior Approval Supplement.

The RLD upon which you have based your ANDA, Lilly's Cymbalta Delayed-release Capsules, is subject to periods of unexpired patent protection. As noted in the agency's publication titled Approved Drug Products with Therapeutic Equivalence Evaluations (the "Orange Book"), U.S. Patent Nos. 5,508,276 (the '276 patent) and 6,596,756 (the '756 patent) are scheduled to expire (with pediatric exclusivity added) on January 18, 2015, and March 10, 2020, respectively.

With respect to the '276 patent, your ANDA contains a paragraph IV certification under section 505(j)(2)(A)(vii)(IV) of the Act stating that the patent is invalid, unenforceable, or will not be infringed by your manufacture, use, or sale of Duloxetine Delayed-release Capsules USP, 20 mg, 30 mg, and 60 mg, under this ANDA. You have notified the agency that Zydus Pharmaceuticals (USA) Inc. (Zydus) complied with the requirements of section 505(j)(2)(B) of the Act, and that no action for infringement was brought against Zydus within the statutory 45-day period.

With respect to the '756 patent, your ANDA contains a statement under section 505(j)(2)(A)(viii) of the Act that this is a method of use patent, and that it does not claim any indication for which you are seeking approval under your ANDA.

With respect to 180-day generic drug exclusivity, we note that Zydus was a first applicant to submit a substantially complete ANDA with a paragraph IV certification to the '276 patent. Zydus is therefore eligible for the remainder of the 180 day generic drug exclusivity for Duloxetine Delayed-release Capsules USP, 20 mg, 30 mg, and 60 mg. This exclusivity, which is provided for under section 505(j)(5)(B)(iv) of the Act, began to run from the date of the commercial marketing identified in section 505(j)(5)(B)(iv). Please submit correspondence to this ANDA informing the agency of the date the exclusivity begins to run.

Under section 506A of the Act, certain changes in the conditions described in this ANDA require an approved supplemental application before the change may be made.

Please note that if FDA requires a Risk Evaluation & Mitigation Strategy (REMS) for a listed drug, an ANDA citing that listed drug also will be required to have a REMS. See section 505-1(i) of the Act.

Postmarketing reporting requirements for this ANDA are set forth in 21 CFR 314.80-81 and 314.98. The Office of Generic Drugs should be advised of any change in the marketing status of this drug.

Promotional materials may be submitted to FDA for comment prior to publication or dissemination. Please note that these submissions are voluntary. If you desire comments on proposed launch promotional materials with respect to compliance with applicable regulatory requirements, we recommend you submit, in draft or mock-up form, two copies of both the promotional materials and package insert directly to:

Food and Drug Administration
Center for Drug Evaluation and Research
Office of Prescription Drug Promotion
5901-B Ammendale Road
Beltsville, MD 20705

We call your attention to 21 CFR 314.81(b)(3) which requires that all promotional materials be submitted to the Office of Prescription Drug Promotion with a completed Form FDA 2253 at the time of their initial use.

The Generic Drug User Fee Amendments of 2012 (GDUFA)(Public Law 112-144, Title III) established certain provisions with respect to self-identification of facilities and payment of annual

facility fees. Your ANDA identifies at least one facility that is subject to the self-identification requirement and payment of an annual facility fee. Self-identification must occur by June 1 of each year for the next fiscal year. Facility fees must be paid each year by the date specified in the Federal Register notice announcing facility fee amounts. All finished dosage forms (FDFs) or active pharmaceutical ingredients (APIs) manufactured in a facility that has not met its obligations to self-identify or to pay fees when they are due will be deemed misbranded. This means that it will be a violation of federal law to ship these products in interstate commerce or to import them into the United States. Such violations can result in prosecution of those responsible, injunctions, or seizures of misbranded products. Products misbranded because of failure to self-identify or pay facility fees are subject to being denied entry into the United States.

As soon as possible, but no later than 14 days from the date of this letter, submit, using the FDA automated drug registration and listing system (eLIST), the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format, as described at http://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/default.htm, that is identical in content to the approved labeling (including the package insert, and any patient package insert and/or Medication Guide that may be required). Information on submitting SPL files using eLIST may be found in the guidance for industry titled "SPL Standard for Content of Labeling Technical Qs and As" at http://www.fda.gov/downloads/DrugsGuidanceComplianceRegulatoryInformation/Guidances/UCM072392.pdf. The SPL will be accessible via publicly available labeling repositories.

Sincerely yours,

{See appended electronic signature page}

Kathleen Uhl, M.D.
Acting Director
Office of Generic Drugs
Center for Drug Evaluation and Research

This is a representation of an electronic record that was signed electronically and this page is the manifestation of the electronic signature.

/s/

ROBERT L WEST

01/08/2014

Deputy Director, Office of Generic Drugs, for
Kathleen Uhl, M.D.