DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Silver Spring, MD 20993

ANDA 202240

Lupin Pharmaceuticals, Inc.
U.S. Agent for: Lupin Limited
Attention: Debashis Mohanty
Senior Regulatory Affairs Associate
Harborplace Tower
111 South Calvert Street, 21st Floor
Baltimore, MD 21202

Dear Sir:

This is in reference to your abbreviated new drug application (ANDA) dated September 30, 2010, submitted pursuant to section 505(j) of the Federal Food, Drug, and Cosmetic Act (the Act), for Celecoxib Capsules, 50 mg, 100 mg, 200 mg, and 400 mg.

Reference is also made to the complete response letter issued by this office on October 22, 2013, and to your amendments dated November 15, 2013; March 18, April 7, April 30, and August 26, 2014.

We have completed the review of this ANDA, and based upon the information you have presented to date we have concluded that the drug is safe and effective for use as recommended in the submitted labeling. However, we are unable to grant final approval to your Celecoxib Capsules, 100 mg, 200 mg, and 400 mg, at this time because of the exclusivity issue noted below. Therefore, your ANDA is approved insofar as it pertains to Celecoxib Capsules, 50 mg.

The reference listed drug (RLD) upon which you have based your ANDA, Celebrex Capsules of GD Searle LLC (Searle), is subject to a period 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 No. 5,760,068 (the '068 patent) and its reissue, U.S. Patent No. RE44,048 (the 'RE048 patent), are scheduled to expire (with pediatric exclusivity added) on December 2, 2015.

Your ANDA contains a paragraph IV certification under section 505(j)(2)(A)(vii)(IV) of the Act stating that each patent is invalid, unenforceable, or will not be infringed by your manufacture, use, or sale of Celecoxib Capsules, 50 mg, 100 mg, 200 mg, and 400 mg, under this ANDA. You have notified the agency that Lupin Pharmaceuticals, Inc. (Lupin) complied with the requirements of section 505(j)(2)(B) of the Act.

I. Tentative Approval of Celecoxib Capsules, 100 mg, 200 mg, and 400 mg.

We are unable at this time to grant final approval to your ANDA for Celecoxib Capsules, 100 mg, 200 mg, and 400 mg. Prior to the submission of your ANDA, another applicant submitted a substantially complete ANDA providing for Celecoxib Capsules, 100 mg, 200 mg, and 400 mg, and containing a paragraph IV certification to the '068 patent. Therefore, your Celecoxib Capsules, 100 mg, 200 mg, and 400 mg, will be eligible for final approval upon the expiration of the other applicant's 180-day exclusivity identified in section 505(j)(5)(B)(iv) of the Act, or that exclusivity is otherwise resolved.[1]

Our decision to tentatively approve your Celecoxib Capsules, 100 mg, 200 mg, and 400 mg, is based upon information currently available to the agency (i.e., data in your ANDA and the status of current good manufacturing practice (cGMP) of the facilities used in the manufacture and testing of the drug product). This decision is subject to change on the basis of new information that may come to our attention.

To reactivate your ANDA prior to final approval of the 100 mg, 200 mg, and 400 mg strengths, please submit a "MINOR AMENDMENT TO ORIGINAL #2 – FINAL APPROVAL REQUESTED". This amendment should provide the legal/regulatory basis for your request for final approval and should include a copy of a court decision, or a settlement or licensing agreement, as appropriate. It should also identify changes, if any, in the conditions under which the ANDA was tentatively approved, i.e., updated information such as final-printed labeling, chemistry, manufacturing, and controls data as appropriate. This amendment should be submitted even if none of these changes were made, and it should be designated clearly in your cover letter as a MINOR AMENDMENT TO ORIGINAL #2 – FINAL APPROVAL REQUESTED.

In addition to the amendment requested above, the agency may request at any time prior to the date of final approval that you submit an additional amendment containing the requested information. Failure to submit either or, if requested, both amendments may result in rescission of the tentative approval status of your ANDA, or may result in a delay in the issuance of the final approval letter.

Any significant changes in the conditions outlined in this ANDA as well as changes in the status of the manufacturing and testing facilities' cGMP are subject to agency review before final approval of the ANDA will be made. Such changes should be categorized as representing either "major" or "minor" changes to Original #2, and they will be reviewed according to OGD policy in effect at the time of receipt. The submission of multiple amendments prior to final approval may also result in a delay in the issuance of the final approval letter.

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 301 of the Act. Also, until the agency issues the

final approval letter, this drug product will not be deemed to be approved for marketing under section 505 of the Act, and will not be listed in the "Orange Book."

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 dose 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.

In addition, we note that GDUFA requires that certain non-manufacturing sites and organizations listed in generic drug submissions comply with the self-identification requirement. The failure of any facility, site, or organization to comply with its obligation to self-identify and/or to pay fees when due may raise significant concerns about that site or organization and is a factor that may increase the likelihood of a site inspection prior to approval. FDA does not expect to give priority to completion of inspections that are required simply because facilities, sites, or organizations fail to comply with the law requiring self-identification or fee payment.

Additionally, we note that the failure of any facility referenced in the application to self-identify and pay applicable fees means that FDA will not consider the GDUFA application review goal dates to apply to that application.

II. Approval of Celecoxib Capsules, 50 mg.

The 50 mg strength of the RLD was approved on December 15, 2006. On July 27, 2011, Lupin amended its ANDA to provide for the 50 mg strength. You notified the agency that Lupin complied with the requirements of section 505(j)(2)(B) of the Act, and no litigation for infringement of the '068 patent was brought against Lupin.[2]

The Division of Bioequivalence has determined your Celecoxib Capsules, 50 mg, to be bioequivalent and, therefore, therapeutically equivalent to the RLD, Searle's Celebrex Capsules, 50 mg. Your dissolution testing should be incorporated into the stability and quality control program using the same method proposed in your ANDA.

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.

[2] The 'RE048 patent was listed in the Orange Book on March 7, 2013, and your paragraph IV certification to the 'RE048 patent was submitted in an amendment to your ANDA. Litigation with respect to the 'RE048 patent, if any, does not give rise to a statutory bar to approval. See section 505(j)(5)(B)(iii) of the Act.

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. You should advise the Office of Generic Drugs 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.

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.

For further information on the status of this ANDA, or prior to submitting additional amendments, please contact Kathie Mantine, Project Manager, at 240-402-8972.

Sincerely yours,

Robert L. West -S

Digitally signed by Robert L. West -S
DN: c=US, o=U.S. Government, ou=HHS, ou=FDA, ou=People, cn=Robert L. West -S, 0.9.2342.19200300.100.1.1=1300009131
Date: 2014.10.29 09:46:42 -04'00'

For CAPT Jason J.Y. Woo, M.D., M.P.H.
Acting Director, Office of Regulatory Operations
Office of Generic Drugs
Center for Drug Evaluation and Research