ANDA 211975/S-006

PRIOR APPROVAL SUPPLEMENT
APPROVAL - NEW STRENGTH

Torrent Pharma Inc.
106 Allen Rd., Suite 305
Basking Ridge, NJ 07920
Attention: Saroja Gorantla
Associate Director, Regulatory Affairs

Dear Saroja Gorantla:

This letter is in reference to your supplemental abbreviated new drug application (sANDA) received for review on September 22, 2023, submitted pursuant to section 505(j) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) for Erythromycin Delayed-Release Tablets USP, 250 mg and 500 mg.

Reference is also made to the complete response letter issued by this office on March 18, 2024, and to any amendments thereafter.

Reference is also made to FDA's Competitive Generic Therapies (CGT) Designation – Grant letter dated October 16, 2018.

The sANDA, submitted as a "Prior Approval Supplement," provides for:

- Addition of a new strength, Erythromycin Delayed-Release Tablets USP, 333 mg.
- Addition of an alternate source (b) (4) for the 100 CC HDPE bottles.

We have completed the review of this sANDA and have concluded that adequate information has been presented to demonstrate that the drug meets the requirements for approval under the FD&C Act. Accordingly the sANDA is **approved**, effective on the date of this letter. We have determined your Erythromycin Delayed-Release Tablets USP, 333 mg to be bioequivalent and therapeutically equivalent to the reference listed drug (RLD), ERY-TAB Delayed-Release Tablets, 333 mg, of Azurity Pharmaceuticals, Inc.

We note that Torrent Pharma Inc. (Torrent) was granted a CGT designation for Erythromycin Delayed-Release Tablets USP, 333 mg. Torrent is the "first approved applicant" for Erythromycin Delayed-Release Tablets USP, 333 mg, as defined in section 505(j)(5)(B)(v)(III) of the FD&C Act. Therefore, with this approval, Torrent is eligible for 180 days of CGT exclusivity for Erythromycin Delayed-Release Tablets USP, 333 mg, under section 505(j)(5)(B)(v) of the FD&C Act. This exclusivity begins to run from the date of the first commercial marketing of the CGT (including the commercial marketing of the listed drug) by Torrent, as specified in section 505(j)(5)(B)(v) of the

FD&C Act. Furthermore, in accordance with section 505(j)(5)(B)(v)(I) of the FD&C Act, this 180-day CGT exclusivity will not block approval of other applications until Torrent has commenced commercial marketing. Please submit a correspondence to this ANDA informing the Agency of the date you begin commercial marketing. Please also submit notice of first commercial marketing via e-mail to the Patent and Exclusivity Team at CDER-OGDPET@fda.hhs.gov. This e-mail should be sent the same day you commence commercial marketing. Reference is also made to the Special Forfeiture Rule for Competitive Generic Therapy in section 505(j)(5)(D)(iv) of the FD&C Act. Please be aware that, pursuant to this forfeiture rule, you will forfeit your eligibility for the 180-day CGT exclusivity period for Erythromycin Delayed-Release Tablets USP, 333 mg, if you fail to market this CGT within 75 days after the date on which the approval of this application is made effective.

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

COMPENDIAL STANDARDS

A drug with a name recognized in the official United States Pharmacopeia or official National Formulary (USP-NF) generally must comply with the compendial standard for strength, quality, and purity, unless the difference in strength, quality, or purity is plainly stated on its label (see FD&C Act § 501(b), 21 USC 351(b)). FDA typically cannot share application-specific information contained in submitted regulatory filings with third parties, which includes USP-NF. To help ensure that a drug continues to comply with compendial standards, application holders may work directly with USP-NF to revise official USP monographs. More information on the USP-NF is available on USP's website as https://www.uspnf.com/.

REQUIREMENTS AND RECOMMENDATIONS POST APPROVAL

Under applicable statutes, regulations, and guidances, your ANDA may be subject to certain requirements and recommendations post approval, including requirements regarding changes to approved ANDAs, postmarketing reporting, promotional materials, and annual facility fees, among others.

For information on post-approval requirements and recommendations for ANDAs and a list of resources for ANDA holders, we refer you to https://www.fda.gov/drugs/abbreviated-new-drug-application-anda/requirements-and-resources-approved-andas.

Sincerely yours,

{See appended electronic signature page}

For Edward M. Sherwood
Director
Office of Regulatory Operations
Office of Generic Drugs
Center for Drug Evaluation and Research

Catherine Poole

Digitally signed by Catherine Poole
Date: 8/13/2024 10:40:47AM
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