

BLA 761066/S-003

SUPPLEMENT APPROVAL

Samsung Bioepis Co., Ltd.
c/o MMS Holdings, Inc.
Attention: Andrew Zelar
Technical Specialist—Regulatory Strategy
6880 Commerce Boulevard
Canton, MI 48187

Dear Andrew Zelar:

Please refer to your supplemental biologics license application (sBLA), dated and received August 25, 2023, and your amendments, submitted under section 351(k) of the Public Health Service Act for Eticovo (etanercept-ykro) injection.

This Category F Prior Approval supplemental biologics license application seeks licensure of Eticovo (etanercept-ykro) injection for subcutaneous use as interchangeable with US-licensed Enbrel (etanercept) injection for subcutaneous use as follows:

- Eticovo (25 mg/0.5 mL) in a single-dose prefilled syringe (PFS) as interchangeable with US-licensed Enbrel 25 mg/0.5 mL in a PFS.
- Eticovo (50 mg/mL) in a single-dose prefilled syringe as interchangeable with US-licensed Enbrel 50 mg/mL in a PFS.

Eticovo is licensed as biosimilar to US-licensed Enbrel for the following indications:

- Treatment of adult patients with:
 - Rheumatoid arthritis (RA)
 - Psoriatic arthritis (PsA)
 - Ankylosing spondylitis (AS)
 - Plaque psoriasis (PsO)
- Treatment of pediatric patients 2 years of age or older with polyarticular juvenile idiopathic arthritis (pJIA)
- Treatment of pediatric patients 4 years or older with plaque psoriasis

APPROVAL & LABELING

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

FIRST INTERCHANGEABLE EXCLUSIVITY

Section 351(k)(6) of the PHS Act provides:

The Secretary shall not make approval as an interchangeable biological product effective with respect to an application submitted under this subsection that relies on the same reference product for which a prior biological product has received a determination of interchangeability for any condition of use, until the earlier of—

(A) 1 year after the first commercial marketing of the first interchangeable biosimilar biological product to be approved as interchangeable for that reference product;

(B) 18 months after—

(i) a final court decision on all patents in suit in an action instituted under subsection (l)(6) against the applicant that submitted the application for the first approved interchangeable biosimilar biological product; or

(ii) the dismissal with or without prejudice of an action instituted under subsection (l)(6) against the applicant that submitted the application for the first approved interchangeable biosimilar biological product; or

(C)

(i) 42 months after approval of the first interchangeable biosimilar biological product if the applicant that submitted such application has been sued under subsection (l)(6) and such litigation is still ongoing within such 42-month period; or

(ii) 18 months after approval of the first interchangeable biosimilar biological product if the applicant that submitted such application has not been sued under subsection (l)(6).

For purposes of this paragraph, the term “final court decision” means a final decision of a court from which no appeal (other than a petition to the United States Supreme Court for a writ of certiorari) has been or can be taken and the term “first interchangeable biosimilar biological product” means any interchangeable biosimilar biological product that is approved on the first day on which such a product is approved as interchangeable with the reference product.

Eticovo (etanercept-ykro) injection, 25 mg/0.5 mL and 50 mg/mL for subcutaneous use in a PFS are the first products relying on their respective reference products to receive a determination of interchangeability for any condition of use. Therefore, with this approval, these products qualify as first interchangeable biosimilar biological products

for purposes of section 351(k)(6) of the PHS Act. The expiration date of any first interchangeable exclusivity has yet to be determined.

For each first interchangeable biosimilar biological product approved by this letter, submit a general correspondence to this 351(k) BLA informing the Agency of the date of the first commercial marketing within 30 days of such date. Submit a duplicate copy of the correspondence via email to PurpleBook@fda.hhs.gov.

If applicable, please submit a general correspondence to this 351(k) BLA informing the Agency of the date of any final court decision (as defined in section 351(k)(6) of the PHS Act) on all patents in suit in any action implicating this BLA instituted under section 351(l)(6) of the PHS Act, or the date of dismissal with or without prejudice of any action implicating this BLA instituted under section 351(l)(6), within 30 days of such date or within 30 days of this approval if such date occurred prior to approval. If any action implicating this BLA instituted under section 351(l)(6) is still ongoing at the time of this approval, submit a general correspondence informing the Agency of this within 30 days of this approval. Submit a duplicate copy of the correspondence(s) via email to PurpleBook@fda.hhs.gov.

WAIVER OF HIGHLIGHTS ½ PAGE LENGTH REQUIREMENT FOR HIGHLIGHTS

Please note that we have previously granted a waiver of the requirements of 21 CFR 201.57(d)(8) regarding the length of Highlights of Prescribing Information.

CONTENT OF LABELING

As soon as possible, but no later than 14 days from the date of this letter, submit, via the FDA automated drug registration and listing system (eLIST), the content of labeling [21 CFR 601.14(b)] in structured product labeling (SPL) format, as described at FDA.gov,¹ that is identical to the enclosed labeling (Prescribing Information, Instructions for Use, and Medication Guide) and include the labeling changes proposed in any pending “Changes Being Effected” (CBE) supplements.

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 via publicly available labeling repositories.

Also within 14 days, amend all pending supplemental applications that include labeling changes for this BLA, including pending “Changes Being Effected” (CBE) supplements, for which FDA has not yet issued an action letter, with the content of labeling [21 CFR 601.12(f)] in Microsoft Word format that includes the changes approved in this

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

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>.

supplemental application, as well as annual reportable changes. To facilitate review of your submission(s), provide a highlighted or marked-up copy that shows all changes, as well as a clean Microsoft Word version. The marked-up copy should provide appropriate annotations, including supplement number(s) and annual report date(s).

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(s) in pediatric patients unless this requirement is waived, deferred, or inapplicable.

PROMOTIONAL MATERIALS

You may request advisory comments on proposed introductory advertising and promotional labeling. For information about submitting promotional materials, see the final guidance for industry *Providing Regulatory Submissions in Electronic and Non-Electronic Format-Promotional Labeling and Advertising Materials for Human Prescription Drugs*.³

You must submit final promotional materials and Prescribing Information, accompanied by a Form FDA 2253, at the time of initial dissemination or publication [21 CFR 314.81(b)(3)(i)]. Form FDA 2253 is available at FDA.gov.⁴ Information and Instructions for completing the form can be found at FDA.gov.⁵

REPORTING REQUIREMENTS

We remind you that you must comply with reporting requirements for an approved BLA (in 21 CFR 600.80 and in 21 CFR 600.81).

Your products are Part 3 combination products (21 CFR 3.2(e)); therefore, you must also comply with postmarketing safety reporting requirements for an approved combination product (21 CFR 4, Subpart B). Additional information on combination product postmarketing safety reporting is available at FDA.gov.

³ For the most recent version of a guidance, check the FDA guidance web page at <https://www.fda.gov/media/128163/download>.

⁴ <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM083570.pdf>

⁵ <http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM375154.pdf>

If you have any questions, contact Suprat Saely, Regulatory Project Manager at suprat.saely@fda.hhs.gov or 240-402-1604.

Sincerely,

{See appended electronic signature page}

Rachel Glaser, MD
Associate Director for Therapeutic Review
Division of Rheumatology and Transplant Medicine
Office of Immunology and Inflammation
Office of New Drugs
Center for Drug Evaluation and Research

ENCLOSURE(S):

Content of Labeling

- Prescribing Information
- Medication Guide
- Instructions for Use (revised May 3, 2024, with S-001)

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/

RACHEL GLASER
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