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WARNING LETTER

NWE-02-01W

Hand Delivered

November 13, 2000

Ronald H. Lewis, Ph.D.
President
Cytosol Laboratories, Inc.
55 Messina Drive
Braintree, Massachusetts 02184

Dear Dr. Lewis:

During recent inspections of your manufacturing facility, Cytosol Laboratories, Inc., 55 Messina Drive, Braintree, MA initiated on January 5, 2000, April 14, 2000, May 25, 2000 and July 20, 2000, our Investigators determined that your firm manufactures a number of drug products. Some of these products include triCitrasol®, Anticoagulant Citrate Dextrose (ACD-A), Anticoagulant Citrate Phosphate Dextrose (CPD-A), and Glysol.

Our review of these products and their labeling has determined that these products meet the definition of a new drug in section 201(p) of the Federal Food, Drug, and Cosmetic Act (the Act), as they are not generally recognized by qualified experts as safe and effective for use as anticoagulant drug products. These products were not marketed prior to the enactment date of the 1962 new drug amendments; therefore they are not exempt from the new drug requirements of section 505 of the Act.

The interstate marketing of triCitrasol®, ACD-A, CPD-A and Glysol without approved FDA applications violates section 505(a) of the Act. A new drug must receive FDA approval before it is introduced or delivered for introduction into interstate commerce as required by section 505(a). TriCitrasol®, ACD-A, CPD-A and Glysol do not have FDA approved new drug applications (NDA) under section 505(b), abbreviated new drug applications (ANDA) under section 505(j), or Notices of Claimed Investigational Exemption (IND) under section 505(i) of the Act.

The labeling of these four products, (TriCitrasol®, ACD-A, CPD-A and Glysol) violates section 502(f)(1) that requires that drugs be labeled with adequate directions for use. A prescription drug may be exempted from this requirement if the labeling contains information required by 21 CFR 201.100. TriCitrasol®, ACD-A, CPD-A and Glysol do not qualify for this exemption because their labeling does not provide adequate directions for use under which a practitioner licensed by law can use the drugs safely for their intended purposes. The directions do not include intended use, effects, dosages, relevant hazards, contraindications, side effects, precautions, and routes, methods, frequency and duration of administration. Also, as required under 21 CFR 201.100(c)(2) for a new drug, this information is the labeling authorized by the approved new drug application.

TriCitrasol® also meets the definition of a device as defined by section 201(h) of the Act. It is adulterated under section 501(f)(1)(B) of the Act in that it is a Class III device under section 513(f) and does not have an approved application for premarket approval in effect pursuant to section 515(a) or an approved application for an investigational device exemption.

This letter is not intended to be an all-inclusive list of violations at your facility. You are responsible for ensuring that you meet each requirement of the Act and all corresponding federal regulations. Federal agencies are advised of the issuance of all Warning Letters about drugs and devices so they may take this information into account when considering the award of contracts and the issuance of export certificates.

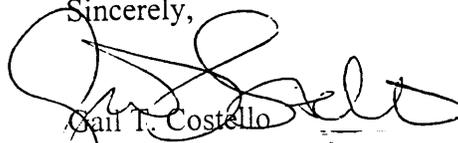
You should take prompt action to correct all of the violations at your firm. Failure to promptly correct these deviations may result in regulatory action without further notice. These actions may include seizure and or injunction under the Federal Food, Drug, and Cosmetic Act.

You should notify this office in writing, within fifteen (15) working days of receipt of this letter, of the specific steps you have taken to correct the above violations. If corrective action cannot be completed within fifteen (15) working days, state the reason for the delay and the time within which corrections will be completed.

We acknowledge your letter dated June 5, 2000 in which you requested clarification of the regulatory requirements for these drug products. In addition to the requirements set forth above, please note that Balanced Salt Solution (BSS) is considered a drug under 201(g) of the Act. In 1997, the FDA approved a new drug application for a BSS product. However, until the Agency issues a Federal Notice declaring BSS to be a new drug and requiring approved applications for marketing, this product may continue to be marketed under Part B of the Compliance Policy Guide: Sec 440.100, Marketed New Drugs Without Approved NDA's or ANDA's - CPG 7132c.02. Under part B, the Agency acknowledges the marketing of products introduced into the marketplace between 1938 and 1962 for which applications were never submitted, provided that no change has been made in formulation, dosage or strength, dosage form, route of administration, indications for use or intended population.

You may direct your reply to Karen N. Archdeacon, Compliance Officer, at the address noted above. If you have any questions concerning this matter, please contact Ms. Archdeacon at (781) 279-1675, Extension 1708.

Sincerely,



Gail T. Costello
District Director
New England District Office