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CO DEC -6 PA:17

December 4, 2000

SUITABILITY PETITION

Dockets Management Branch
HFA-305, Room 4-62
Food and Drug Administration
5600 Fishers Lane
Rockville, MD 20857

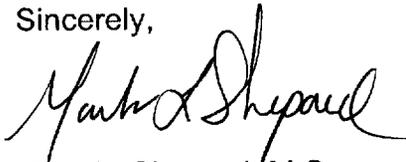
RE: Suitability Petition

Dear Sir/Madam:

Enclosed are four copies of a suitability petition we are filing on behalf of Highland Vet-Pharma, LLC, St. Louis, MO. The petition requests the Commissioner to permit Highland to file an abbreviated new animal drug application (ANADA) for phenylbutazone having a different dosage form (palatable, chewable tablet) than that of the listed approved new animal drug (Phenylbute® Tablets, Phoenix Scientific, NADA 91-818).

Please do not hesitate to contact us if additional information is required at this time.

Sincerely,



Mark L. Shepard, M.S.
Vice President

Enclosure

Cc: Highland VetPharma, LLC

MLS:pbh

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00P-1655

CP1

SUITABILITY PETITION

Petition Filed By:

**Highland VetPharma, LLC
11960 Westline Drive, Suite 180
St. Louis, Missouri 63146**

Proposed Product:

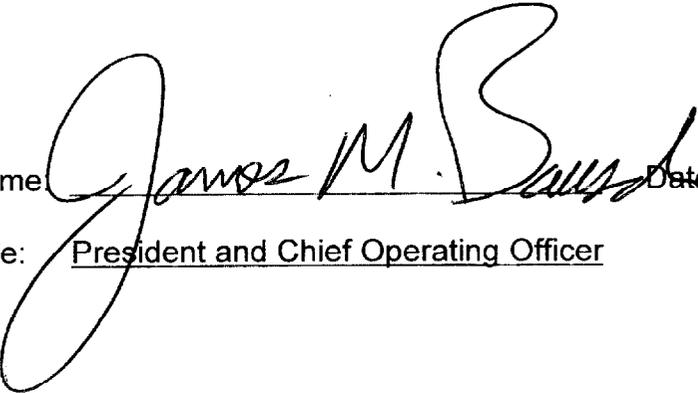
**A Palatable, Chewable Tablet Form
of Phenylbutazone for Horses**

Date: December 1, 2000



SUITABILITY PETITION

The undersigned submits this petition under 512(n)(3) of the Federal Food, Drug, and Cosmetic Act, to request that the Commissioner of Food and Drugs permit Highland VetPharma to file an abbreviated new animal drug application having a dosage form which differs from that of the listed approved new animal drug.

Name:  Date: December 1, 2000

Title: President and Chief Operating Officer

I. **Action Requested**

The requested action is for the Commissioner to permit the filing of an abbreviated new animal drug application (ANADA) for our proposed product which differs from the approved listed product as follows:

Listed Product (Reference Drug)

Phenylbute® (phenylbutazone) Tablets, NADA 91-818, originally approved by the Center for Veterinary Medicine on October 16, 1973, and sponsored by Phoenix Scientific, is an oral tablet indicated for the relief of inflammatory conditions associated with the musculoskeletal system in horses. It is offered in a formulation containing 1 gram phenylbutazone.

Proposed Product

The proposed product is a palatable, chewable tablet, each containing 1.0 g phenylbutazone, which will be indicated for use in horses for the same claim(s) and will utilize the same oral dosage directions as the listed product. The proposed tablets are packaged units of 100 tablets.

II. **Statement of Grounds**

Inflammatory conditions for which phenylbutazone is prescribed often require administration of the drug on an ongoing basis in order to attain a “maintenance” level of the drug in the horse’s body for optimal anti-inflammatory effect.

It is sometimes difficult to administer oral tablets to horses due to their reluctance to accept and swallow the medication. Thus, even though the drug may be properly prescribed, if the horse owner meets resistance in administering the drug then doses may be spit out or missed and the animal will receive insufficient medication. The approval of this petition and the ultimate approval of a generic animal drug application for a palatable, chewable tablet form of phenylbutazone would provide the horse owner with an alternative product which is more readily administered, and is accepted by the horse as a "treat". Hence, the horse owner is more likely to be able to assure the animal is receiving the proper dose of medication as specified in product labeling. This is especially important for drugs like phenylbutazone for which attainment of a maintenance level of drug is necessary for optimal treatment outcome.

The legal basis under which this application proceeds is as promulgated in the FD&C Act which allows the Commissioner to accept a generic drug application for an animal drug product which differs in dosage form from the listed reference drug product. The dosage form for the proposed generic product described in this petition is similar to that of the listed drug in that both products are oral dosage forms containing 1.0 g phenylbutazone. The difference is that this proposed generic product is in a palatable, chewable tablet form whereas the pioneer drug is a non-chewable tablet.

The petitioner is not aware of any information which would be unfavorable to the granting of the requested action.

III. Environmental Impact

Highland VetPharma, LLC hereby requests a categorical exclusion from the requirements of preparing an environmental assessment based on 21 CFR 25.30(h). This subparagraph provides for categorical exclusions for actions such as the issuance, amendment, or revocation of procedural or administrative regulations and guidelines, including procedures for submission of applications for product development, testing and investigational use, and approval. To the best of petitioner's knowledge, no extraordinary circumstances exist which may significantly affect the human environment as discussed under 21 CFR 25.21.

IV. Economic Impact

An economic impact statement pertaining to (1) Cost (and price) increases to industry, government, and consumers; (2) productivity of wage earners, businesses, or government; (3) competition; (4) supplies of important materials, products, or services; (5) employment; and (6) energy supply or demand has not been prepared for this petition. Highland VetPharma will provide such an analysis if so requested by the Commissioner.

V. Identification of Single Listed Reference Drug

NADA NO.	NAME OF DRUG	COMPANY	APPROVAL DATE
91-818	Phenylbute® Tablets	Phoenix Scientific	10/16/1973

VI. Labeling

Differences between the proposed generic product labeling and the reference product labeling:

I. Bottle Label

A. Left Panel

1. Bar code will be different
2. Under "Dosage and Administration" the word "tablets" will be changed to "chewable tablets."
3. Product code number will be different
4. Label revision date will be different

B. Front Panel

1. The NDC number will be different
2. The product brand name will be changed to "Brand Name Chewable Tablets."
3. The established name will be changed to "Phenylbutazone Chewable Tablets."
4. The net contents statement will be changed to "100 Chewable Tablets."
5. The NADA number will be changed to an ANADA number.
6. The name and address will change from "Phoenix Pharmaceutical, Inc., St. Joseph, MO 64503" to "Highland VetPharma, LLC, St. Louis, MO 63146."

C. Right Panel

1. The first line will be changed to read, "Each chewable tablet contains."
2. The manufacturer's name and address will be changed to specify an as yet undetermined manufacturer.

II. Package Insert

A. Front Panel

1. The square in the upper right corner containing "pp" will be omitted.
2. The brand name will be changed to "Brand Name Chewable Tablets."
3. The established name will be changed to "Phenylbutazone Chewable Tablets."
4. The NADA number will be changed to an ANADA number.
5. The statement, "Each tablet contains..." will be changed to, "Each chewable tablet contains..."
6. Under "Dosage and Administration" the word "tablets" will be changed to "chewable tablets."

B. Back Panel

1. Under "How Supplied" the word "tablets" will be changed in two places to "chewable tablets."
2. The product code and label revision date will change.

3. ~~1.~~ The statement under "Manufactured by" will be changed to
^{MWS}
^{12/4/00} identify an as yet to be determined manufacturer's name and
address.

4. ~~2.~~ The statement under "Manufactured for" will reflect Highland
^{MWS}
^{12/4/00} VetPharma's name and address.

The following pages provide copies of the proposed generic product labeling and the reference drug labeling.

VII. Certification

The undersigned certifies that to the best knowledge and belief of the undersigned, this petition includes all information and views on which the petition relies, and that it includes representative data and information known to the petitioner which are unfavorable to this petition.

Signature: _____

Name of Petitioner: Highland Vet Pharma, LLC

Mailing Address: 11960 Westline Industrial Drive, Ste. 180
St. Louis, MO 63146

Telephone Number: (314) 205-9666

PROPOSED DRUG LABELING

BOTTLE LABEL

<p>SEE PACKAGE INSERT FOR COMPLETE INSTRUCTIONS.</p> <p>INDICATIONS: Phenylbutazone is for the relief of inflammatory conditions associated with the musculoskeletal system in horses.</p> <p>DOSAGE AND ADMINISTRATION: For Horses Only: Orally 1 to 2 chewable tablets per 500 pounds of body weight, but not to exceed 4 g per animal daily. Use high dose for the first 48 hours, then gradually reduce to a maintenance dose.</p> <p> 2 12345 67789 0</p> <p>123456 Rev. x-xx</p>	<p>NDC 12345-123-12</p> <p>BRAND NAME CHEWABLE TABLETS (Phenylbutazone Chewable Tablets) 1 gram ANTI-INFLAMMATORY For Oral Use In Horses Only</p> <p>KEEP OUT OF REACH OF CHILDREN</p> <p>CAUTION: Federal law restricts this drug to use by or on the order of a licensed veterinarian</p> <p>Net Contents: 100 Chewable Tablets ANADA xxx-xxx, Approved by FDA</p> <p>Manufactured For:</p> <p>HIGHLAND VetPharma, LLC St. Louis, MO 63146</p>	<p>Each chewable tablet contains: Phenylbutazone, USP...1 gram</p> <p>Dispense in tight, child resistant containers.</p> <p>WARNING: Not for use in horses intended for food.</p> <p>Store at controlled room temperature, 20° to 25°C (68° to 77°F)</p> <p>Manufactured by XYZ Company City, State, Zip</p> <p>TAKE TIME – OBSERVE LABEL DIRECTIONS</p> <p>Lot. No. Exp.</p>
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PACKAGE INSERT

BRANDNAME CHEWABLE TABLETS

(Phenylbutazone Chewable Tablets) 1 gram

ANADA XXX-XXX, Approved by FDA

CAUTION: Federal law restricts this drug to use by or on the order of a licensed veterinarian.

DESCRIPTION: Phenylbutazone chemically is 4-butyl-1, 2 diphenyl-3, 5-pyrazolidinedione.

$C_{19}H_{20}N_2O_2$

Mol. Wt. 308.38

Each chewable tablet contains 1 g of phenylbutazone

BACKGROUND PHARMACOLOGY: Phenylbutazone was first synthesized in 1948 and introduced into human medicine in 1949. Kuzell (1), (2), (3), Payne, (4), Fleming, (5) and Denko, (6) demonstrated the clinical effectiveness of phenylbutazone in gout, gouty arthritis, acute arthritis, acute rheumatism and various other rheumatoid disorders in humans. Fabre (7), Domenjoz, (8), Wilhelmi, (9) and Yourish, (10), have established the anti-rheumatic and anti-inflammatory activity of phenylbutazone. It is entirely unrelated to the steroid hormones.

Toxicity of phenylbutazone has been investigated in rats and mice (11), and dogs (12).

Phenylbutazone has been used by Camberos (13), in thoroughbred horses. Favorable results were reported in cases of traumatism, muscle rupture, strains and inflammations of the third phalanx. Results were not as favorable in the periodic treatment of osteoarthritis of the stifle and hip, arthrosis of the trapezious muscles and general arthritis. Sutter, (14) reported a favorable response in chronic equine arthritis of long duration, fair results in severely bruised mare and poor results in two cases where the condition was limited to the third phalanx.

INDICATIONS: Phenylbutazone is for the relief of inflammatory conditions associated with the musculoskeletal system in horses.

DOSAGE AND ADMINISTRATION: For Horses Only: Orally 1 to 2 chewable tablets per 500 pounds of body weight, but not to exceed 4 g per animal daily. Use high dose for the first 48 hours, then gradually reduce to a maintenance dose.

CONTRAINDICATIONS: Use with caution in patients who have history of drug allergy.

PRECAUTION: In the treatment of inflammatory conditions associated with infections, specific anti-infective therapy should be used concurrently.

WARNING: Not for horses intended for food.

HOW SUPPLIED: Chewable tablets containing 1 gram of phenylbutazone are supplied in bottles of 100 chewable tablets.

Store at controlled room temperature, 20° to 25°C (68° to 77°F)

References:

1. Kuzell, WC, Schaffarzick, RW, Naugler, WE, Gandia, C and Mankle, EA: A.M.A. Arch. Inst. Med., 92, 646 (1953).
2. Kuzell, WC, Schaffarzick, RW, Brown, B and Mankle, EA: J.A.M.A. 149; 729 (1952).
3. Kuzell, WC, and Schaffarzick, RW: Calif. Med. 77; 319 (1952).
4. Payne, RW, Shelter, MR, Farr, CH, Hellbaum, AA, and Ishmall, WK: J. Lab. Clin. Med. 45; 331 (1955).
5. Fleming, J and Will, G: Ann. Rheumat., Dis., 12; 95 (1953).
6. Denko, CW and Rumi, D: American Pract. 6; 1865 (1955).
7. Fabre, J, et al: Semain. Hop. (Paris) 31; 87 (1955).
8. Domenjoz, R, et al: Arzneimittel-Forsch, 5; 488 (1955).
9. Wilhelmi, G and Pulver, R: Arzneimittel-Forsch, 5; 221 (1955).
10. Yourish, W, Paton, B, Brodie, B, Burns, J: A.M.A. Arch. Ophth., 53: 264 (1955).
11. Hazelton, LW, Tusing, TW and Hollana, EG: J. Pharmacol, Exper. Ther., 109; 387 (1953).
12. Ogilvie, FB and Sutter, MD: Vet. Med 52; 492-4 (1957).
13. Camberos, HR: Rev. Med. Vet. (Buenos Aires) 38: 9 (1956).
14. Sutter, MD: Vet. Med., 53; 83 (Feb. 1958).

123456

Rev. x-xx

Manufactured By:
XYZ Company
City, State, Zip

Manufactured For:
Highland VetPharma
St. Louis, MO 63146

REFERENCE DRUG LABEL

SEE PACKAGE INSERT FOR COMPLETE INSTRUCTIONS.

INDICATIONS: Phenylbutazone is for the relief of inflammatory conditions associated with the musculoskeletal system in horses.



DOSAGE AND ADMINISTRATION: For Horses Only: Orally 1 to 2 tablets per 500 pounds of body weight, but not to exceed 4 g per animal daily. Use high dose for the first 48 hours, then gradually reduce to a maintenance dose.

801021

Rev. 5-00

NDC 57319-422-13

PHENYLBUTE® TABLETS
(Phenylbutazone Tablets, USP)

1 gram

ANTI-INFLAMMATORY
For Oral Use In Horses Only
KEEP OUT OF REACH OF CHILDREN

CAUTION: Federal law restricts this drug to use by or on the order of a licensed veterinarian

Net Contents: 100 Tablets

NADA 91-818, Approved by FDA
Manufactured For:

PHOENIX
PHARMACEUTICAL, INC.
St. Joseph, MO 64503

Each tablet contains:
Phenylbutazone, USP 1 gram

Dispense in tight, child resistant containers.

WARNING: Not for use in horses intended for food.

Store at controlled room temperature, 20° to 25°C (68° to 77°F)

Manufactured by
Phoenix Scientific, Inc.
St. Joseph, MO 64503



Lot No. 0080973

Exp. Date 8/02

Lot No.

Exp. Date

PP

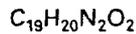
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(Phenylbutazone Tablets, USP) 1 gram

NADA 91-818, Approved by FDA

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DESCRIPTION: Phenylbutazone chemically is 4-butyl-1, 2 diphenyl-3, 5-pyrazolidinedione.



Mol. Wt. 308.38

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DOSAGE AND ADMINISTRATION: For Horses Only: Orally 1 to 2 tablets per 500 pounds of body weight, but not to exceed 4 g per animal daily. Use high dose for the first 48 hours, then gradually reduce to a maintenance dose.

FROM: Mark Shepard (972)355-9700
Shotwell & Carr, Inc.
3535 Firewheel Drive
Suite A
Flower Mound, TX 750282628

SHIPPER'S FEDEX ACCOUNT NUMBER



TO: FOOD & DRUG ADMIN. (305)827-6880
Documents Management Branch
HFA-305, Room 4-62
5600 Fishers Lane

SHIP DATE: 04DEC00
MAN-WGT: 1 LBS

REF: #239
Rockville, MD 20857-



DELIVERY ADDRESS BARCODE (FEDEX-EDR)

CAD # 2526430

PRIORITY OVERNIGHT

TUE
AA

TRK # 7904 1425 5132 FORM 0201

IAD

Deliver By:
05DEC00

20857-MD-US

NH GAIA

