

NDA 216457

**NOTIFICATION OF
NON-COMPLIANCE WITH PREA**

Heron Therapeutics, Inc.
Attention: Natasha Getz
Director, Regulatory Affairs
25 Fenton Main Street, Suite 300
Cary, NC 27511

Dear Natasha Getz:

Please refer to your new drug application (NDA) submitted under section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) for Aponvie (aprepitant) injectable emulsion, which was approved on September 16, 2022.

The Agency has determined that you have failed to meet the postmarketing requirement (PMR) of the Pediatric Research Equity Act (PREA) for this application because you have not yet submitted your pediatric assessment for the following:

PMR 4292-1, which was deferred until February 28, 2026.

Under the provisions of section 505B(d)(1) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) [21 U.S.C. 355c(d)(1)], you must respond in writing within 45 calendar days of the date of this letter. Your response should include the reason(s) for the delayed pediatric assessment and a date by which you expect to submit the assessment. You may also include a request for a deferral extension, if applicable, which should be identified as a **“DEFERRAL EXTENSION REQUESTED”** in your response. We note that you requested a deferral extension on November 24, 2025; however, we have determined that your request did not qualify for an extension.

In accordance with the FD&C Act, FDA will post this letter and your response to the website at <https://www.fda.gov/drugs/development-resources/non-compliance-letters-under-505bd1-federal-food-drug-and-cosmetic-act> with redactions for any trade secrets and confidential commercial information 60 calendar days from the date of this letter.

Please identify your response to this letter as a **“RESPONSE TO PREA NON-COMPLIANCE LETTER.”** To facilitate our review, submit this information to your NDA with a cross-reference letter to the investigational new drug application (IND) to which your protocol has been submitted.

If you have any questions, contact Mary Chung, Regulatory Project Manager, at (301) 796-0260 or Mary.Chung@fda.hhs.gov.

Sincerely,

{See appended electronic signature page}

Erica Lyons, M.D.
Associate Director for Therapeutic Review
Division of Gastroenterology
Office of Immunology and Inflammation
Office of New Drugs
Center for Drug Evaluation and Research

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/

ERICA M LYONS
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