



THE WEINBERG GROUP INC.

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Dockets Management Branch
Food and Drug Administration
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SUITABILITY PETITION

This petition is submitted pursuant to 21 CFR §10.20 and §10.30, as provided for in 21 CFR §314.93 and Section 505(j)(2)(c) of the Federal Food, Drug and Cosmetic Act, to request the Commissioner of the Food and Drug Administration (FDA) to declare that the drug product Hydromorphone Hydrochloride Tablets for oral administration in 2 mg and 4 mg dosage strengths are suitable for submission as an Abbreviated New Drug Application (ANDA).

A. Action Requested

The petitioner requests that the Commissioner of the Food and Drug Administration declare that Hydromorphone Hydrochloride 2 mg and 4 mg tablets are suitable for submission as an ANDA. The reference listed drug product upon which this petition is based is Dilaudid[®] (hydromorphone hydrochloride USP) 8 mg tablets, approved under New Drug Application (NDA) 19-892. This petition is submitted for a change in dosage strength from the reference product Dilaudid[®] (hydromorphone hydrochloride) tablets 8 mg, to Hydromorphone Hydrochloride 2 mg and 4 mg tablets. Hydromorphone Hydrochloride 2 mg and 4 mg tablets will be marketed as immediate-release tablets. The drug, the route of administration, and the recommendations for use are the same as those of the listed drug product. The proposed product would differ in dosage strength from the approved marketed product, Dilaudid[®] 8 mg tablets.

The proposed drug product is expected to demonstrate bioequivalence to the 8 mg tablet dosage form of the listed product; data will be submitted at a later date.

2004P-0152

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B. Statement of Grounds

The Federal Food, Drug, and Cosmetic Act provides for the submission of an ANDA for a new drug that differs in dosage strength from that of a listed drug provided the FDA has approved a petition that proposed the filing of such an application. This petition requests a change in strength for the proposed drug from that of the reference listed drug.

The recommended dosage and administration of Dilaudid® 8 mg tablets is a starting dose of 2 mg to 4 mg orally, every 4 to 6 hours. A gradual increase in dose may be required if analgesia is inadequate, as tolerance develops, or if pain severity increases. The reference listed drug product includes in the approved labeling for the 8 mg tablet, dosing and administration recommendations for the 2 mg and 4 mg tablet dosage strengths. There are therefore, no questions of safety or efficacy raised with the proposed Hydromorphone Hydrochloride 2 mg and 4 mg tablet dosage strengths. The proposed product will comply completely with the approved labeling for Dilaudid® 8 mg tablets, and will offer physicians greater flexibility in dosing, and the ability to titrate the dose of Hydromorphone Hydrochloride tablets on an individual patient basis to achieve adequate levels of analgesia.

The proposed product will differ from the listed drug only in dosage strength. The indications, route of administration, intended patient population, and recommendations for use will remain the same as Dilaudid® 8 mg Tablet. Therefore, there will be no difference in the safety and efficacy of the proposed 2 mg and 4 mg tablets.

The package insert for Dilaudid® 8 mg tablets is provided in Attachment 1 of this petition. The draft package insert for the proposed Hydromorphone Hydrochloride 2 mg and 4 mg tablets is provided in Attachment 2.

C. Pediatric Use Information

The Pediatric Research Equity Act, passed in December 2003, requires that applications submitted under section 505 of the Act, be evaluated for safety and efficacy in pediatric populations when the application is submitted for the following: A new active ingredient, new indication, new dosage form, new dosing regimen, or new route of administration. The proposed petition seeks a change in dosage strength from that of the reference listed product, and therefore under the provisions of the Pediatric Research Equity Act, it is not necessary to evaluate the safety or efficacy in a pediatric population or seek a waiver or deferral for pediatric studies. Further support that this petition for a proposed change in dosage strength is not subject to the Pediatric Research Equity Act was further clarified in a letter received from the FDA (see Attachment 3). A letter from the Office of Generic Drugs received on December 18, 2003 in correspondence to a suitability petition



submitted for a change in strength stated that, "under the Pediatric Research Equity Act, which was signed December 2003, it is not necessary to seek a waiver or deferral of pediatric studies for a change in strength".

The package insert of the listed drug, Dilaudid[®], states that the safety and efficacy in children has not been established. The proposed package insert for Hydromorphone Hydrochloride 2 mg and 4 mg tablets will provide the same information for pediatric use as the reference product, Dilaudid[®] 8 mg tablets, and because the proposed change is a change in strength, no additional studies should be required.

D. Environmental Impact

An environmental assessment report on the action requested in this petition is not required under 21 CFR §25.31.

E. Economic Impact

The petitioner does not believe that this is applicable in this case, but will agree to provide such an analysis if requested by the agency.

F. Certification

The undersigned certifies that to the best of his knowledge, 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 the petition.

Sincerely,



Nicholas M. Fleischer, R.Ph., Ph.D.
Director of Biopharmaceutics
THE WEINBERG GROUP INC.

NMF/kh

Enclosures

cc Gary Buehler, Director, Office of Generic Drugs (encls.)

