

# **Generic Drug Labeling: Recommendations for High-Quality Submissions**

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CDER | U.S. FDA

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# Learning Objectives



- Explain what we do and review
- Provide an overview of the labeling review process
- Provide responses to frequently asked questions by industry
- Recommend useful recommendations to provide high-quality labeling submissions and reduce review cycles



# Division of Labeling Review

# Division of Labeling Review (DLR)

## What We Do

- Ensure that the generic labeling is the “same as” the product’s reference listed drug (RLD)
- Differences are allowed under:
  - Section 505(j)(2)(A)(v) of the Federal Food, Drug, and Cosmetic Act
  - 21 CFR 314.94(a)(8)
- Ensure that the labels/labeling are clear and accurately reflect the drug product information



- Approved changes under a petition
- Different manufacturers
- Formulation
- Expiration date
- Bioavailability
- Pharmacokinetics
- FDA guidance
- Carveout of protected information

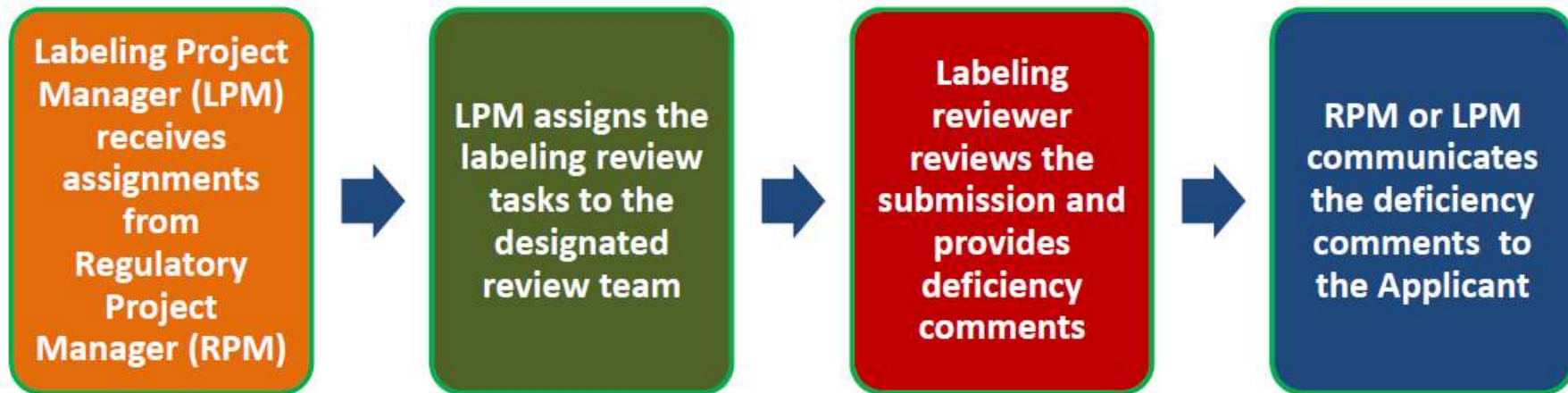
# Division of Labeling Review

## *What We Review*

- Prescribing Information (Rx) and Drug Facts Labeling (OTC)
- Structured Product Labeling (SPL)
- Medication Guides
- Patient Package Inserts and Instructions for Use
- Container Labels and Carton Labeling
- Blisters
- Overwraps
- Stickers

# Labeling Review Process - Overview

# Labeling Review Process



# **Frequently Asked Questions from Industry**



# What is the official FDA website for applicants to obtain RLD labeling?



- [Drugs@FDA](#)\*
- **DO NOT** rely on other publicly available labeling, such as DailyMed
- If you cannot locate the RLD labeling:
  - Choose labeling from one of the Abbreviated New Drug Applications (ANDAs) on the market that references same RLD
  - DLR will assess during review and provide comments
- Use the "[Contact Us](#)" link at the bottom of the Drugs@FDA website if you have questions about labeling posted on the website

# How soon should ANDA update labeling after an RLD updates?



- Pre-approval: ANDA labeling must be the same as the RLD labeling
- Post-approval: No mandated timeline as to when the ANDA must be updated but we recommend updating at the very earliest time possible
- Prompt revision, submission to FDA, and implementation are important to ensure continued safe and effective use
- Applicant has ongoing obligation to ensure labeling is accurate, and not false or misleading

# What to do after a new monograph becomes effective after ANDA approval?



- Applicant is responsible for ensuring their drug product complies with the requirements of the monograph
- Changes to comply with USP monograph is annual reportable change
  - Refer to FDA guidance: [Changes to an Approved NDA or ANDA](#))

# Do I need to update labeling even though ANDA is not being marketed?



- Yes! Labeling should align with the RLD labeling until the ANDA withdrawal has been published in the Federal Register (FR) notice and the effective date of the FR notice has passed.

# Can Medication Guides (MGs) be provided to patients electronically?



- From manufacturer to pharmacy
  - Acceptable to include the URL for the MG
  - Considered a means to produce the MG for the patient (21 CFR 208)
- From dispenser (pharmacy) to patient
  - Physical copy must be provided
  - Pharmacist can choose to go to the URL provided by the company to print out the MG

# How should ANDAs address removal of the Pregnancy Category?



- Pregnancy Categories must be removed from all drug product labeling
  - Pregnancy and Lactation Labeling Rule (79 FR 72064)
- If the RLD labeling is in:
  - Physician Labeling Rule (PLR) format: ANDA can remove only after RLD removes
  - Non-PLR format: ANDA can remove prior to the RLD

# Recommendations for High-Quality Labeling Submissions

# High-Quality Labeling Submission Tips



- Submit text-based versions (not scanned versions)
- Submit Final Printed Labeling (FPL)
- Ensure all versions of your insert labeling are consistent (e.g., draft text-based Microsoft Word, PDF, SPL)



# High-Quality Labeling Submission Tips

## *continued...*



- Check Drugs@FDA, Orange Book, and USP websites frequently and always before submitting
- Ensure you use RLD labeling from Drugs@FDA
- Warning Statements
  - Ensure its prominence for pertinent labeling piece(s)
  - E.g., Shake well before use

The Drugs@FDA logo, which features the text "Drugs@FDA" in a bold, black, sans-serif font. The text is centered within a white rectangular box, which is itself centered within a larger yellow oval with a thin black border and a subtle drop shadow.

**Drugs@FDA**

# High-Quality Labeling Submission Tips

## *continued...*



- Form FDA 356h
  - Ensure the form is up-to-date
  - List additional person(s) on the Form FDA 356h (alternate POCs)
  - Ensure the relied upon NDA RLD and company address is accurate and up-to-date
- Refrain from making unnecessary and unsolicited changes, especially right before approval

# Challenge Questions

# Challenge Question #1



**The official FDA website for applicants to obtain the RLD labeling is DailyMed? True or False?**

- A. True
- B. False

## Challenge Question #2

**Does the ANDA applicant need to update their labeling even though the ANDA is not being marketed?**

- A. Yes
- B. No

# **ANDA-Specific Resources and Communications**



- FD&C Act & CFR
- Orange Book  
<https://www.accessdata.fda.gov/scripts/cder/ob/index.cfm>
- Drugs@FDA  
<https://www.accessdata.fda.gov/scripts/cder/daf/index.cfm>
- USP  
<https://www.uspnf.com/>
- Prescription Drug Labeling Resources  
<https://www.fda.gov/drugs/laws-acts-and-rules/prescription-drug-labeling-resources#ANDA-Specific%20Labeling%20Resources>





## *Useful CDER Guidance Documents for ANDA Submissions*

Topic	FDA Guidance
Carton/Container	<a href="#">Safety Considerations for Container Labels and Carton Labeling Design to Minimize Medication Errors (draft guidance)</a>
Supplements	<a href="#">Public Availability of Labeling Changes in “Changes Being Effected” Supplements (draft guidance)</a>
	<a href="#">Changes to an Approved NDA or ANDA</a>
ANDA-Specific Labeling Resources	<a href="#">Updating ANDA Labeling After the Marketing Application for the RLD Has Been Withdrawn (draft guidance)</a>
	<a href="#">Acceptability of Draft Labeling to Support ANDA Approval (final guidance)</a>
	<a href="#">Referencing Approved Drug Products in ANDA Submissions (draft guidance)</a>
	<a href="#">Good ANDA Submission Practices (draft guidance)</a>
	<a href="#">ANDA Submissions – Content and Format (final guidance)</a>
Other	<a href="#">Selection of the Appropriate Package Type Terms and Recommendations for Labeling Injectable Medical Products Packaged in Multiple-Dose, Single-Dose, and Single-Patient-Use Containers for Human Use</a>



## Contacts for further questions

- Specific ANDA
  - Contact the RPM or LPM assigned to the ANDA
- General question, prior to filing an ANDA
  - Submit a Controlled Correspondence
  - Refer to FDA draft guidance: [Controlled Correspondence Related to Generic Drug Development](#)
- Other questions: E-mail [DrugInfo@fda.hhs.gov](mailto:DrugInfo@fda.hhs.gov)

*For more information, refer to:* [Points of Contact for Questions Related to Generic Drugs](#)

# Questions?

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