On October 22, 2020, FDA approved Veklury (remdesivir) for use in adults and pediatric patients (12 years of age and older and weighing at least 40 kg) for the treatment of COVID-19 requiring hospitalization. Veklury should only be administered in a hospital or in a healthcare setting capable of providing acute care comparable to inpatient hospital care. This approval does not include the entire population that had been authorized to use Veklury under an Emergency Use Authorization (EUA) originally issued on May 1, 2020. In order to ensure continued access to the pediatric population previously covered under the EUA, the EUA for Veklury continues to authorize Veklury for emergency use by licensed healthcare providers for the treatment of suspected or laboratory-confirmed COVID-19 in hospitalized pediatric patients weighing 3.5 kg to less than 40 kg ***or*** hospitalized pediatric patients less than 12 years of age weighing at least 3.5 kg. Clinical trials assessing the safety and efficacy of Veklury in this pediatric patient population are ongoing. For current EUA documents, please see: https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/emergency-use-authorization#coviddrugs.

October 16, 2020

Ashley Rhoades, MBS, RAC
Manager, Regulatory Affairs
Gilead Sciences, Inc.
333 Lakeside Drive
Foster City, CA 94404

Dear Ms. Rhoades:

On February 4, 2020, pursuant to Section 564(b)(1)(C) of the Act, the Secretary of the Department of Health and Human Services (HHS) determined that there is a public health emergency that has a significant potential to affect national security or the health and security of United States citizens living abroad, and that involves the virus that causes COVID-19.[1] On the basis of such determination, the Secretary of HHS on March 27, 2020, declared that circumstances exist justifying the authorization of emergency use of drugs and biological products during the COVID-19 pandemic, pursuant to Section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. 360bbb-3), subject to terms of any authorization issued under that section.[2]

On May 1, 2020, the Food and Drug Administration (FDA) issued an Emergency Use Authorization (EUA) for emergency use of Veklury (remdesivir)[3] for the treatment of hospitalized patients with severe 2019 coronavirus disease (COVID-19)[4], pursuant to Section

[1] U.S. Department of Health and Human Services, *Determination of a Public Health Emergency and Declaration that Circumstances Exist Justifying Authorizations Pursuant to Section 564(b) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 360bbb-3*. February 4, 2020.
[2] U.S. Department of Health and Human Services, *Declaration that Circumstances Exist Justifying Authorizations Pursuant to Section 564(b) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 360bbb-3*, 85 FR 18250 (April 1, 2020).
[3] The May 1, 2020, EUA referred to the authorized drug as "remdesivir;" however, Gilead subsequently requested, and FDA concurred, that the Fact Sheets be altered to add references to remdesivir's trade name, "Veklury." "Veklury" is used in the August 28, 2020, reissued letter.
[4] For purposes of the May 1, 2020, EUA, patients with severe disease were defined as patients with oxygen

564 of the Act. Veklury is a direct acting antiviral drug that inhibits viral RNA synthesis. It is an investigational drug and is not currently approved for any indication.

On August 28, 2020, having concluded that revising this EUA is appropriate to protect the public health or safety under Section 564(g)(2) of the Act, FDA reissued the May 1, 2020, letter in its entirety with revisions incorporated to expand the authorized use of Veklury by no longer limiting its use to the treatment of patients with severe disease. In addition, the Fact Sheet for Health Care Providers was revised to provide updated clinical trial results and supporting data.[5] On October 1, 2020, having concluded that revising this EUA is appropriate to protect the public health or safety under Section 564(g)(2) of the Act, FDA reissued the August 28, 2020, letter in its entirety with revisions incorporated to the scope and conditions of authorization designating Gilead Sciences, Inc. and its authorized distributors[6] as the responsible parties for the distribution[7] of Velkury. FDA is reissuing the October 1, 2020, letter in its entirety with revisions to clarify that an alternate care site (ACS) meeting certain criteria is considered an "inpatient hospital setting" for the purposes of the scope of the EUA, and as such, is within the terms and conditions of FDA's authorization.

Veklury has activity in cell culture and animal models against SARS-CoV, MERS-CoV, and SARS-CoV-2. Based on review of the data from the randomized, double-blinded, placebo-controlled trial conducted by NIAID (NCT04280705), from the Gilead-sponsored open-label trial that evaluated different durations of Veklury (NCT04292899), and from the Gilead-sponsored open-label trial that evaluated different durations of Veklury as compared to standard of care (NCT04292730), it is reasonable to believe that Veklury may be effective and the known and potential benefits of Veklury outweigh the known and potential risks of the drug for the treatment of patients hospitalized with COVID-19.

Having concluded that the criteria for issuance of this authorization under Section 564(c) of the Act are met, I am authorizing the emergency use of Veklury for treatment of COVID-19, as described in the Scope of Authorization section of this reissued letter (Section II) and subject to the terms of this authorization.

## I. Criteria for Issuance of Authorization

I have concluded that the emergency use of Veklury for the treatment of COVID-19 when administered as described in the Scope of Authorization (Section II) meets the criteria for issuance of an authorization under Section 564(c) of the Act, because:



saturation (SpO2) ≤94% on room air or requiring supplemental oxygen or requiring mechanical ventilation or requiring extracorporeal membrane oxygenation (ECMO).

[5] Prior to the reissuance of the EUA on August 28, 2020, and pursuant to the conditions of authorization, Gilead had requested, and FDA had concurred with, other changes to the Fact Sheets, including but not limited to: (1) clarified dosing and administration recommendations; (2) added sponsor's recommended formula to be used in calculating eGFR (this formula was removed in the August 28, 2020, reissuance); (3) added hypersensitivity reaction and drug interaction information; (4) added safety information from randomized ,clinical trials; (5) removed information related to the compassionate use program; and (6) added reference to remdesivir's trade name, Veklury.

[6] "Authorized Distributor(s)" are identified by Gilead as an entity or entities allowed to distribute authorized Veklury.

[7] Allocations of Veklury directed by the United States Government on or before September 30, 2020, remain valid and shall be distributed in collaboration with state or local government authorities, as needed.

1. SARS-CoV-2 can cause a serious or life-threatening disease or condition, including severe respiratory illness, to humans infected by this virus;

2. Based on the totality of scientific evidence available to FDA, it is reasonable to believe that Veklury may be effective in treating COVID-19, and that, when used under the conditions described in this authorization, the known and potential benefits of Veklury when used to treat COVID-19 outweigh the known and potential risks of such products; and

3. There is no adequate, approved, and available alternative to the emergency use of Veklury for the treatment of COVID-19.[8]

## II. Scope of Authorization

I have concluded, pursuant to Section 564(d)(1) of the Act, that the scope of this authorization is limited as follows:

- The Veklury covered by this authorization will be used only to treat adults and children with suspected or laboratory confirmed COVID-19 administered in an in-patient hospital setting[9] via intravenous (IV) infusion by a healthcare provider; and

- The use of Veklury covered by this authorization should be in accordance with the dosing regimens as detailed in the authorized Facts Sheets.

**Product Description**

Veklury is a nucleoside ribonucleic acid (RNA) polymerase inhibitor. Veklury for injection, 100 mg, is a sterile, preservative-free lyophilized solid that is to be reconstituted with 19mL of sterile water for injection and diluted into 0.9% saline prior to intravenous (IV) administration. Following reconstitution, each single-dose, clear glass vial contains a 5 mg/mL Veklury concentrated solution with sufficient volume to allow withdrawal of 20 mL. Veklury Injection, 5 mg/mL, is a sterile, preservative- free, clear, solution that is to diluted into 0.9% saline prior to intravenous (IV) administration. The authorized Veklury vial label and/or the carton labeling is clearly marked for "emergency use authorization" or for "investigational use."[10]

Veklury for injection, 100 mg, vials should be stored below 30 °C until time of use. Veklury injection, 5 mg/mL vials should be stored at refrigerated temperatures (2 °C to 8 °C) until time of use. Following dilution with 0.9% saline, the solution can be stored for up to 4 hours at room temperature (20 °C to 25 °C) or 24 hours at refrigerated temperatures (2 °C to 8 °C).

[8] No other criteria of issuance have been prescribed by regulation under Section 564(c)(4) of the Act.
[9] Individuals determined as being appropriate for acute inpatient hospitalization and who are admitted or transferred to an alternate care site (ACS) that is capable of providing acute care that is comparable to general inpatient hospital care are within the terms and conditions of this Letter of Authorization. An ACS is intended to provide additional hospital surge capacity and capability for communities overwhelmed by patients with COVID-19.
[10] The product labeled "investigational use" is authorized for use under this EUA; FDA is not requiring it to be relabeled given the immediate need for the product.

Veklury is authorized to be accompanied by the following product-specific information pertaining to emergency use, which is required to be made available to healthcare providers and patients respectively:

- Fact Sheet for Health Care Providers: Emergency Use Authorization (EUA) of Veklury® (remdesivir)
- Fact Sheet for Patients and Parent/Caregivers: Emergency Use Authorization (EUA) of Veklury® (remdesivir) for Coronavirus Disease 2019 (COVID-19)

I have concluded, pursuant to Section 564(d)(2) of the Act, that it is reasonable to believe that the known and potential benefits of Veklury, when used for the treatment of COVID-19 and used in accordance with this Scope of Authorization (Section II), outweigh its known and potential risks.

I have concluded, pursuant to Section 564(d)(3) of the Act, based on the totality of scientific evidence available to FDA, that it is reasonable to believe that Veklury may be effective for the treatment of COVID-19 when used in accordance with this Scope of Authorization (Section II), pursuant to Section 564(c)(2)(A) of the Act.

Having reviewed the scientific information available to FDA, including the information supporting the conclusions described in Section I above, I have concluded that Veklury (as described in this Scope of Authorization (Section II)) meets the criteria set forth in Section 564(c) of the Act concerning safety and potential effectiveness.

The emergency use of your product under an EUA must be consistent with, and may not exceed, the terms of the Authorization, including the Scope of Authorization (Section II) and the Conditions of Authorization (Section III). Subject to the terms of this EUA and under the circumstances set forth in the Secretary of HHS's determination under Section 564(b)(1)(C) described above and the Secretary of HHS's corresponding declaration under Section 564(b)(1), Veklury is authorized for the treatment of suspected or laboratory confirmed COVID-19 hospitalized adults and children as described in the Scope of Authorization (Section II) under this EUA, despite the fact that it does not meet certain requirements otherwise required by applicable federal law.

## III. Conditions of Authorization

Pursuant to Section 564 of the Act, I am establishing the following conditions on this authorization:

Gilead Sciences, Inc. (Gilead) and Authorized Distributors

A. Gilead and authorized distributor(s) will ensure that the authorized Veklury, accompanied with the authorized labeling (i.e., Fact Sheets), is distributed to hospitals and healthcare facilities consistent with the terms of this letter.

B. Gilead and authorized distributor(s) will ensure that appropriate storage and cold chain is maintained until the product is delivered to hospitals and healthcare facilities.

C. Gilead and authorized distributor(s) will ensure that the terms of this EUA are made available to all relevant stakeholders (e.g., U.S. government agencies, state and local government authorities, authorized distributors, healthcare facilities, healthcare providers) involved in distributing or receiving authorized Veklury. Gilead will provide to all relevant stakeholders a copy of this letter of authorization and communicate any subsequent amendments that might be made to this letter of authorization and its authorized accompanying materials (i.e., Fact Sheets).

D. Gilead may request changes to this authorization, including to the authorized Fact Sheets for Veklury, and FDA may determine that such changes may be permitted without amendment of this EUA, upon concurrence of the Office of Infectious Diseases/Office of New Drugs/Center for Drug Evaluation and Research (CDER), the Counter-Terrorism and Emergency Coordination Staff/Office of the Center Director/CDER, and Office of Counterterrorism and Emerging Threats/Office of the Chief Scientist/Office of the Commissioner.

E. Gilead will report to FDA serious adverse events and all medication errors associated with the use of the authorized Veklury that are reported to Gilead using either of the following options.

   Option 1: Submit reports through the Safety Reporting Portal (SRP) as described on the FDA SRP web page.

   Option 2: Submit reports directly through the Electronic Submissions Gateway (ESG) as described on the FAERS electronic submissions web page.

   Submitted reports under both options should state: "use of Veklury (remdesivir) was under an EUA". For reports submitted under Option 1, include this language at the beginning of the question "Describe Event" for further analysis. For reports submitted under Option 2, include this language at the beginning of the "Case Narrative" field.

F. Through a process of inventory control, Gilead and authorized distributor(s) will maintain records regarding distribution of the authorized Veklury (i.e., lot numbers, quantity, receiving site, receipt date).

G. Gilead and authorized distributor(s) will make available to FDA upon request any records maintained in connection with this EUA.

Hospitals and Other Healthcare Facilities to Whom the Authorized Veklury Is Distributed and Healthcare Providers Administering the Authorized Veklury

H. Healthcare facilities and healthcare providers will ensure that they are aware of the letter of authorization, and the terms herein, and that the authorized Fact Sheets are made available

to healthcare providers and to patients and caregivers, respectively, through appropriate means.

I. Healthcare facilities and healthcare providers receiving Veklury will track serious adverse events that are considered to be potentially attributable to Veklury use and must report these to FDA in accordance with the Fact Sheet for Healthcare Providers. Complete and submit a MedWatch form (www.fda.gov/medwatch/report.htm), or Complete and submit FDA Form 3500 (health professional) by fax (1-800-FDA-0178) (these forms can be found via link above). Call 1-800-FDA-1088 for questions. Submitted reports should state, "use of Veklury (remdesivir) was under an EUA" at the beginning of the question "Describe Event" for further analysis.

J. Through a process of inventory control, healthcare facilities will maintain records regarding the dispensed authorized Veklury (i.e., lot numbers, quantity, receiving site, receipt date), product storage, and maintain patient information (e.g., patient name, age, disease manifestation, number of doses administered per patient, other drugs administered).

K. Healthcare facilities will ensure that any records associated with this EUA are maintained until notified by Gilead and/or FDA. Such records will be made available to Gilead, HHS, and FDA for inspection upon request.

Conditions Related to Printed Matter, Advertising and Promotion

L. All descriptive printed matter, including advertising and promotional material, relating to the use of the Veklury shall be consistent with the authorized labeling, as well as the terms set forth in this EUA and the applicable requirements set forth in the Act and FDA regulations.

M. No descriptive printed matter, including advertising or promotional material, relating to the use of the Veklury may represent or suggest that such products are safe or effective.

N. All descriptive printed matter, including advertising and promotional material, relating to the use of the Veklury clearly and conspicuously shall state that:

- the Veklury has not been approved;
- the Veklury has been authorized by FDA under an EUA;
- the Veklury is authorized only for the duration of the declaration that circumstances exist justifying the authorization of the emergency use of the Veklury under Section 564(b)(1) of the Act, 21 U.S.C. § 360bbb-3(b)(1), unless the authorization is terminated or revoked sooner.

## IV. Duration of Authorization

This EUA will be effective until the declaration that circumstances exist justifying the authorization of the emergency use of drugs and biological products during the COVID-19 pandemic is terminated under Section 564(b)(2) of the Act or the EUA is revoked under Section 564(g) of the Act.

Sincerely,

/S/

_____
RADM Denise M. Hinton
Chief Scientist
Food and Drug Administration