DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Silver Spring, MD 20993-0002

Bristol-Myers Squibb Company
Attention: George Zapf
Associate Director, Global Regulatory Sciences-CMC
311 Pennington-Rocky Hill Road
Princeton, NJ 08534

5/22/2014

Clinipace Worldwide, Inc.
Attention: Lisa Johnson
Senior Manager, Regulatory Affairs and Strategic Development
c/o CordenPharma Latina S.p.A.
4840 Pearl East Circle, Suite 201E
Boulder, CO 80301

Dear Sir or Madam:

This letter is being sent under Section 506C(f) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) for the reasons set forth below.

Section 506C of the FD&C Act requires a manufacturer of a drug product that is "life-supporting, life-sustaining, or intended for use in the prevention or treatment of a debilitating disease or condition" to notify the Food and Drug Administration (FDA or the Agency) of: (1) a permanent discontinuance in the manufacture of the drug; or (2) an interruption of the manufacture of the drug that is likely to lead to a meaningful disruption[1] in the supply of that drug in the United States; and (3) the reason(s) for such discontinuance or interruption of manufacturing (FD&C Act § 506C(a)). The notification must be submitted at least 6 months prior to the date of the discontinuance or interruption of manufacturing, or as soon as practicable (FD&C Act § 506C(b)). Compliance with this notification requirement is essential to facilitating the mitigation and/or prevention of a shortage or potential shortage, and ultimately may ensure availability of critical drugs for patients.

If a person fails to submit this required notification within the required timeframe, FDA must issue a letter to that person informing the person of the failure to comply with the FD&C Act (FD&C Act § 506C(f)).

Lomustine capsules (Lomustine) is a product that is "life-supporting, life-sustaining, or intended for use in the prevention or treatment of a debilitating disease or condition." This product has approved indications for use in the treatment of brain tumors and Hodgkin's Disease. It is our understanding that sometime between February 2013 and May 2013, there was an interruption in the manufacture of Lomustine capsules originally marketed by Bristol-Myers Squibb (BMS) under the tradename CeeNU, and later marketed by CordenPharma. This interruption was likely to lead to a meaningful disruption in the supply of this drug product in the United States. The Agency learned of the disruption from outside stakeholders in May 2013, and Lomustine capsules were determined to be in shortage soon thereafter, on May 9, 2013. Our records indicate that neither BMS nor CordenPharma, which acquired the application for CeeNU capsules on or about April

[1] The statute defines "meaningful disruption" to mean "a change in production that is reasonably likely to lead to a reduction in the supply of a drug by a manufacturer that is more than negligible and affects the ability of the manufacturer to fill orders or meet expected demand for the product," and "does not include interruptions in manufacturing due to matters such as routine maintenance or insignificant changes in manufacturing so long as the manufacturer expects to resume operations in a short period of time." Section 506C(h)(3).

2013, notified FDA of the interruption in manufacture of this product. Accordingly, we are issuing you this letter to notify you of your noncompliance with the FD&C Act.

No later than thirty calendar days after the issuance of this letter, you must submit to the Agency a written response setting forth the basis for noncompliance with Section 506C and providing the required notification, including the reason(s) for the interruption in manufacturing that led to a disruption in the supply of Lomustine in May 2013.

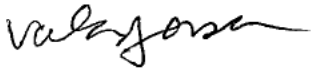
No later than forty-five calendar days after the issuance of this letter, FDA will make this letter and your response to the letter available to the public on FDA's Drug Shortage website, unless the Agency determines that this letter was issued in error, or, after review of your response, determines that there was a reasonable basis for noncompliance. In posting the letter and your response on the Drug Shortage website, FDA would protect confidential commercial information and trade secrets, if any, as required by applicable law.

If you have further questions, please contact the Drug Shortage Staff at (301) 796-1300.

Please submit all communications regarding this drug product to the following address:

Drug Shortage Staff
Food and Drug Administration
WO 22, Room 6204
10903 New Hampshire Avenue
Silver Spring, MD 20993

Sincerely yours,



CAPT Valerie Jensen
Associate Director
Drug Shortage Staff
Center for Drug Evaluation and Research