



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

NDA 20-845

DEC 23 1999

INO Therapeutics, Inc.
Attention: Richard N. Williams, Ph.D.
54 Old Highway 22
Clinton, NJ 08809

Dear Dr. Williams:

Please refer to your new drug application (NDA) dated June 16, 1997, withdrawn on September 17, 1997 and resubmitted on May 26, 1999, under section 505(b) of the Federal Food, Drug, and Cosmetic Act for INOmax (nitric oxide) 100 and 800 ppm for Inhalation.

We acknowledge receipt of your submissions dated December 8, 1999 (two).

This new drug application provides for the use of INOmax (nitric oxide) 100 and 800 ppm for Inhalation, in conjunction with ventilatory support and other appropriate agents, in the treatment of term and near-term (> 34 weeks) neonates with hypoxic respiratory failure associated with clinical or echocardiographic evidence of pulmonary hypertension, where it improves oxygenation and reduces the need for extracorporeal membrane oxygenation.

We have completed the review of this application, as amended, and have concluded that adequate information has been presented to demonstrate that the drug product is safe and effective for use as recommended in the submitted final printed labeling (package insert submitted, immediate container and carton labels included in your December 8, 1999 submission). Accordingly, the application is approved effective on the date of this letter.

Validation of the regulatory methods has not been completed. At the present time, it is the policy of the Center not to withhold approval because the methods are being validated. Nevertheless, we expect your continued cooperation to resolve any problems that may be identified.

Be advised that, as of April 1, 1999, all applications for new active ingredients, new dosage forms, new indications, new routes of administration, and new dosing regimens are required to contain an assessment of the safety and effectiveness of the product in pediatric patients unless this requirement is waived or deferred (63 FR 66632). We note that you have fulfilled the pediatric study requirement at this time.

We remind you that you must comply with the requirements for an approved NDA set forth under 21 CFR 314.80 and 314.81.

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If you have any questions, please contact:

Ms. Zelda McDonald
Regulatory Project Manager
(301) 594-5333

Sincerely yours

/S/

Robert Temple, M.D.
Director
Office of Drug Evaluation I
Center for Drug Evaluation and Research