



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

EMA/464924/2010

European Medicines Agency decision

P/125/2010

of 28 July 2010

on the refusal of a paediatric investigation plan and on the refusal of a deferral and on the granting of a waiver for lidocaine/tetracaine (EMA-000168-PIP02-09) in accordance with Regulation (EC) No 1901/2006 of the European Parliament and of the Council

Disclaimer

This Decision does not constitute entitlement to the rewards and incentives referred to in Title V of Regulation (EC) No 1901/2006.

Only the English text is authentic.



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The European Medicines Agency,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1901/2006 of the European Parliament and of the Council of 12 December 2006 on medicinal products for paediatric use and amending Regulation (EEC) No. 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004¹,

Having regard to Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency²,

Having regard to the application submitted by ZARS Pharma on 5 March 2010 under Article 16(1) of Regulation (EC) No 1901/2006 also requesting a deferral under Article 20 of said Regulation,

Having regard to the opinion of the Paediatric Committee of the European Medicines Agency, issued on 11 June 2010, in accordance with Article 18 of Regulation (EC) No 1901/2006, and Article 21 of said Regulation and of its own motion in accordance with Article 12 of said Regulation,

Having regard to Article 25 of Regulation (EC) No 1901/2006,

Whereas:

- (1) The Paediatric Committee of the European Medicines Agency has given an opinion on the refusal of a paediatric investigation plan and on the refusal of a deferral and on the granting of a waiver.
- (2) It is therefore appropriate to adopt a decision refusing a paediatric investigation plan.
- (3) It is therefore appropriate to adopt a decision refusing a deferral.
- (4) It is therefore appropriate to adopt a decision granting a waiver.

¹ OJ L 378, 27.12.2006, p.1.

² OJ L 136, 30.4.2004, p. 1.

Has adopted this decision:

Article 1

A paediatric investigation plan for lidocaine/tetracaine, cream, cutaneous use, the details of which are set out in the opinion of the Paediatric Committee of the European Medicines Agency annexed hereto, together with its appendices, is hereby refused.

Article 2

A deferral for lidocaine/tetracaine, cream, cutaneous use, the details of which are set out in the opinion of the Paediatric Committee of the European Medicines Agency annexed hereto, together with its appendices, is hereby refused.

Article 3

A product-specific waiver for lidocaine/tetracaine, cream, cutaneous use, the details of which are set out in the opinion of the Paediatric Committee of the European Medicines Agency annexed hereto, together with its appendices, is hereby granted.

Article 4

This decision is addressed to ZARS Pharma, 1142 West 2320 South, 84119 Salt Lake City, UT, United States.

Done at London, 28 July 2010

For the European Medicines Agency
Thomas Lönngren
Executive Director

(Signature on file)

EMA/PDCO/355527/2010

Opinion of the Paediatric Committee on the refusal of a Paediatric Investigation Plan and a deferral and on the granting of a product-specific waiver

EMA-000168-PIP02-09

Scope of the application

Active substance(s):

Lidocaine

Tetracaine

Condition(s):

Local anaesthesia

Pharmaceutical form(s):

Cream

Route(s) of administration:

Cutaneous use

Name/corporate name of the PIP applicant:

ZARS Pharma

Basis for opinion

Pursuant to Article 16(1) of Regulation (EC) No 1901/2006 as amended, ZARS Pharma submitted for agreement to the European Medicines Agency on 5 March 2010 an application for a paediatric investigation plan for the above mentioned medicinal product and a deferral under Article 20 of said Regulation.

The procedure started on 15 April 2010.

Opinion

1. The Paediatric Committee, having assessed the proposed paediatric investigation plan in accordance with Article 17 of Regulation (EC) No 1901/2006 as amended, recommends as set out in the appended summary report:
 - to refuse the paediatric investigation plan in accordance with Article 18 of said Regulation as the measures and the timelines are not appropriate to ensure the generation of the necessary data determining the conditions in which the medicinal product may be used to treat the paediatric population or some subsets, nor to adapt a paediatric formulation, or do not bring expected significant therapeutic benefit,
 - to refuse a deferral in accordance with Article 21 of said Regulation,
 - to grant a product-specific waiver for all subsets of the paediatric population on its own motion in accordance with Article 12 of said Regulation and concluded in accordance with Article 11(1)(c) of said Regulation, on the grounds that the specific medicinal product does not represent a significant therapeutic benefit over existing treatments for paediatric patients.

The Norwegian Paediatric Committee member agrees with the above-mentioned recommendation of the Paediatric Committee.

2. The grounds for the granting of the waiver are set out in Annex I.

This opinion is forwarded to the applicant and the Executive Director of the European Medicines Agency, together with its annex and appendix.

London, 11 June 2010

On behalf of the Paediatric Committee

Dr Daniel Brasseur, Chairman

(Signature on file)

Annex I

Grounds for the granting of the waiver

1. GROUNDS FOR THE GRANTING OF THE WAIVER

1.1. Condition

Local anaesthesia

The waiver applies to:

- All subsets of the paediatric population from birth to less than 18 years of age
- for cream for cutaneous use
- on the grounds that clinical studies cannot be expected to be of significant therapeutic benefit to or fulfil a therapeutic need of the paediatric population.