

EMA/654862/2010

European Medicines Agency decision

P/223/2010

of 29 October 2010

on the refusal of a paediatric investigation plan and on the refusal of a deferral and on the granting of a waiver for phentermine / topiramate, (EMA-000826-PIP01-09) 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.

European Medicines Agency decision

P/223/2010

of 29 October 2010

on the refusal of a paediatric investigation plan and on the refusal of a deferral and on the granting of a waiver for phentermine / topiramate, (EMA-000826-PIP01-09) in accordance with Regulation (EC) No 1901/2006 of the European Parliament and of the Council

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 Vivus BV on 8 March 2010 under Article 16(1) of Regulation (EC) No 1901/2006 also requesting a deferral under Article 20 of said Regulation and a waiver under Article 13 of said Regulation,

Having regard to the opinion of the Paediatric Committee of the European Medicines Agency, issued on 10 September 2010, in accordance with Article 18 of Regulation (EC) No 1901/2006, and Article 21 of said Regulation and Article 13 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 phentermine / topiramate, capsule, hard, oral 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 phentermine / topiramate, capsule, hard, oral 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 waiver for phentermine / topiramate, capsule, hard, oral 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 VIVUS BV, Prins Bernhardplein 200, 1097 JB Amsterdam, The Netherlands.

Done at London, 29 October 2010

For the European Medicines Agency
Thomas Lönngren
Executive Director

(Signature on file)

EMA/PDCO/569608/2010

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-000826-PIP01-09

Scope of the application

Active substance(s):

Phentermine / topiramate

Condition(s):

Treatment of obesity

Pharmaceutical form(s):

Capsule, hard

Route(s) of administration:

Oral use

Name/corporate name of the PIP applicant:

Vivus BV

Basis for opinion

Pursuant to Article 16(1) of Regulation (EC) No 1901/2006 as amended, Vivus BV submitted for agreement to the European Medicines Agency on 8 March 2010 an application for a paediatric investigation plan for the above mentioned medicinal product and a deferral under Article 20 of said Regulation and a waiver under Article 13 of said Regulation.

The procedure started on 15 April 2010.

A meeting with the Paediatric Committee took place on 10 June 2010.

Supplementary information was provided by the applicant on 28 June 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 in accordance with Article 13 of said Regulation and concluded in accordance with Article 11(1)(a) of said Regulation, on the grounds that the specific medicinal product is likely to be ineffective or unsafe in part or all of the paediatric population.

The Icelandic and the Norwegian Paediatric Committee members agree 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, 10 September 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

Treatment of obesity

The waiver applies to:

- All subsets of the paediatric population from birth to less than 18 years of age,
- for hard capsule, oral use,
- on the grounds that the specific medicinal product is likely to be unsafe.