



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

FILE COPY

October 23, 2006

Charles A. Weiss
Kenyon & Kenyon Intellectual Property Law
One Broadway
New York, New York 10004-1007

Dear Mr. Weiss:

This is a correction to our acknowledgement letter of October 18. It contained a typographical error.

Your petition submitted, on behalf of KV Pharmaceutical Company, requesting the Food and Drug Administration to refrain from approval of any Abbreviated New Drug Application (ANDA) for metoprolol succinate extended release 100 mg and 200 mg tablets subsequent to ANDA 76-640 from KV Pharmaceutical, was received by this office on 10/18/2006. It was assigned docket number 2006P-0422/CP1 and it was filed on 10/18/2006. Please refer to this docket number in future correspondence on this subject with the Agency.

Please note that the acceptance of the petition for filing is a procedural matter in that it in no way reflects an agency decision on the substantive merits of the petition.

Sincerely,

Jennie Butler
for Jennie Butler, Director

Division of Dockets Management
Office of Management Programs
Office of Management

2006P-0422

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