EXHIBIT 13

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA PENSACOLA DIVISION

BENJAMIN COKER, et al.)
Plaintiffs,)
VS.) NO. 3:21-cv-1211-AW-HTC
LLOYD AUSTIN, III, et al.,)
Defendants.)

DECLARATION OF NICKOLAS KUPPER

- 1. I am over 18 years of age and am competent to testify in this matter.
- 2. All of the statements made in this declaration are true to the best of my own personal knowledge.
- 3. I am Nickolas Kupper, and I make this declaration to inform the Court of the matters described herein.
- 4. On 28 Nov 2022 I accessed the Centers for Disease Control (CDC) COVID-19 vaccine lot number database at https://vaccinecodeset.cdc.gov/LotNumber. After logging in I was able to download the latest dataset dated 22 Nov 2022. It downloaded as a zip file which contained a text document of the CDC COVID-19 lot number dataset. I then extracted the text document into an Excel file.
- 5. The dataset contained in the Excel file (Exhibit A) shows that lot numbers GH9697, GH9702 and GJ6665 correspond to National Drug Code (NDC) 59267-0304-2. According to the CDC NDC website (https://www.cdc.gov/vaccines/programs/iis/COVID-19-related-codes.html) accessed 28 Nov 2022, that NDC is assigned to Pfizer's new Bivalent vaccine which is Emergency Use Authorized (EUA) and not Biologics License Application (BLA) approved Comirnaty Gray Cap.
- 6. In her declaration (ECF 124, Attachment 1) Col Tanya Rans describes her Exhibit A as a list of "BLA-approved, Comirnaty-labeled and BLA-approved, Spikevax-labeled COVID-19 vaccine doses." Exhibit A lists lot numbers GH9697, GH9702 and GJ6665 as "PFIZER GREY CAP COMIRNATY" when it is clear that those lot numbers are in fact not BLA-approved as demonstrated with the

- CDC data. This appears to show the defense mislabeling EUA bivalent vaccines as BLA Comirnaty vaccines.
- 7. On 14 Jun 2022 I called into a conference call with the Air Force COVID-19 Working Group. During this phone call, and on page 18 of the slides provided (Exhibit B) with the meeting, they discussed how orders for fewer than 300 doses of Comirnaty Gray Cap would only ship refrigerated at 2 to 8 degrees Celsius and have a 10-week expiration date from the date of shipment. They discussed that all shipments below 300 doses would ship from Fort Detrick. Further they said that all shipments to overseas military facilities, regardless of number of doses, would ship refrigerated at 2 to 8 degrees Celsius and have the 10-week expiration date from date of shipment. The working group stated that the only Comirnaty Gray Cap doses which would ship in deep freeze would be those orders which were over 300 doses and only if shipped to US based military installations. They said those doses would ship directly from Pfizer instead of Fort Detrick.
- 8. The Comirnaty Gray Cap package insert (Exhibit C), located at FDA website (https://www.fda.gov/media/154834/download) accessed 28 Nov 2022 and updated Aug 2022, clearly states that "if cartons of COMIRNATY single dose vials or multiple dose vials with gray caps and labels with gray borders are received at 2°C to 8°C, they should be stored at 2°C to 8°C. Check that the carton has been updated to reflect the 10-week refrigerated expiry date." The defense is claiming that Comirnaty lot FW1331 has not expired, yet they failed to take into account the temperature at which it was stored and shipped for each DoD location. This would also apply to all Comirnaty-labeled lots, not just FW1331.
- 9. On 17 Jun 2022 the defense filed ECF 96 attachment 4 stating that they already had Comirnaty labeled lots on hand. That filing does not indicate which temperatures those lots were held at, but by the defendant's own documentation any of those doses which were held or shipped at refrigerated temperatures would have expired already. 17 Jun 2022 was over 23 weeks ago and those lots would have expired no later than 26 Aug 2022 based on their 10-week shelf-life.
- 10. Additionally, the package insert clearly states "Regardless of storage condition, the vaccine should not be used after the expiration date printed on the vial and cartons." The FDA letter from Apr 2022, which purports to extend the shelf-life, is superseded by the package insert which is much more recent with a revised date of Aug 2022. The defense claims that all Comirnaty labeled lots have a 3-month extension even while their own most recent documentation contradicts that assertion. The date printed on the vials for lots FW1329, FW1330 and

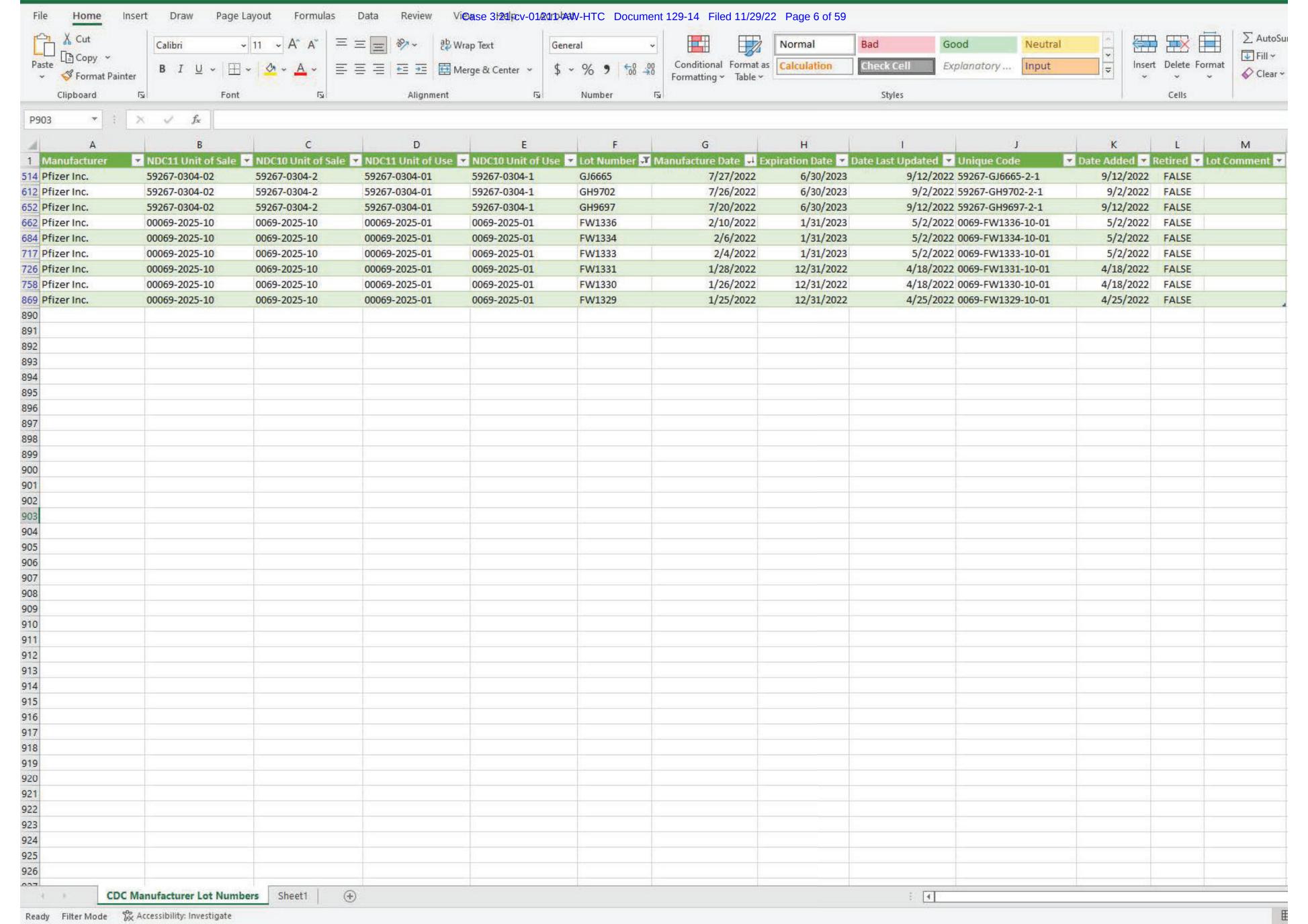
FW1331 is 30 Sep 2022 and for lots FW1333, FW1334 and FW1336 is 31 Oct 2022. The FDA website says that it's content, including the package insert, is current as of 29 Aug 2022 which means that their own documentation states that Comirnaty lots FW1329, FW1330 and FW1331 are now expired and lots FW1333, FW1334 and FW1336 expired 4 weeks ago on 31 Oct 2022. Thus the DoD has not had a single viable lot of Comirnaty-labeled vaccine as of 1 Nov 2022.

- 11. Additionally, the defense claims that plaintiffs misrely on information from the DailyMed website. However, the package insert referenced above clearly states "This product's labeling may have been updated. For the most recent prescribing information, please visit https://dailymed.nlm.nih.gov/dailymed/." Once again the FDA's own documentation contradicts the defense's assertions.
- 12. Lastly, according to the CDC's COVID-19 vaccine lot listing (Exhibit A) the last lot (FW1336) of Comirnaty-labeled product was manufactured on 10 Feb 22 and the last lot (053C22A) of Spikevax-labeled product was manufactured on 17 Apr 22. Since those dates the only COVID-19 "vaccine" lots which have been manufactured by Moderna and Pfizer have been EUA monovalent and EUA bivalent products. There has not been a single BLA-labeled lot produced in over 7 months by either company.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct. I executed this declaration on this 29th day of November, 2022.

KUPPER.NICK Digitally signed by KUPPER.NICKOLAS.
OLAS.SCOTT. SCOTT.1266938078
1266938078 Date: 2022.11.29
08:09:10 -07'00'
NICKOLAS S. KUPPER

Exhibit A



Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 7 of 59

Manufacturer	NDC11 Unit of Sale	NDC10 Unit of Sale	NDC11 Unit of Use	NDC10 Unit of Use	Lot Number	Manufacture Date	Date Last Updated Unique Code	Date Added I	Retired	Name
Pfizer Inc.	00069-2025-10	0069-2025-10	00069-2025-01	0069-2025-01	FW1336	2/10/2022	5/2/2022 0069-FW1336-10-01	5/2/2022	FALSE	Comirnaty
Pfizer Inc.	00069-2025-10	0069-2025-10	00069-2025-01	0069-2025-01	FW1334	2/6/2022	5/2/2022 0069-FW1334-10-01	5/2/2022	FALSE	Comirnaty
Pfizer Inc.	00069-2025-10	0069-2025-10	00069-2025-01	0069-2025-01	FW1333	2/4/2022	5/2/2022 0069-FW1333-10-01	5/2/2022	FALSE	Comirnaty
Pfizer Inc.	00069-2025-10	0069-2025-10	00069-2025-01	0069-2025-01	FW1331	1/28/2022	4/18/2022 0069-FW1331-10-01	4/18/2022	FALSE	Comirnaty
Pfizer Inc.	00069-2025-10	0069-2025-10	00069-2025-01	0069-2025-01	FW1330	1/26/2022	4/18/2022 0069-FW1330-10-01	4/18/2022	FALSE	Comirnaty
Pfizer Inc.	00069-2025-10	0069-2025-10	00069-2025-01	0069-2025-01	FW1329	1/25/2022	4/25/2022 0069-FW1329-10-01	4/25/2022	FALSE	Comirnaty
Moderna	80777-0100-99	80777-100-99	80777-0100-11	80777-100-11	053C22A	4/17/2022	7/13/2022 80777-053C22A-99-11	7/13/2022	FALSE	Spikevax
Moderna	80777-0100-99	80777-100-99	80777-0100-11	80777-100-11	052C22A	4/15/2022	7/13/2022 80777-052C22A-99-11	7/13/2022	FALSE	Spikevax
Moderna	80777-0100-99	80777-100-99	80777-0100-11	80777-100-11	004D22A	4/15/2022	7/13/2022 80777-004D22A-99-11	7/13/2022	FALSE	Spikevax
Moderna	80777-0100-99	80777-100-99	80777-0100-11	80777-100-11	051C22A	4/13/2022	7/13/2022 80777-051C22A-99-11	7/13/2022	FALSE	Spikevax

Exhibit B

Department of the Air Force

Innovate, Accelerate, Thrive - The Air Force at 75

AFMS COVID-19 Vaccine Coord and Champ Meeting



AFMRA COVID-19 Vaccine Distribution Program

<u>usaf.pentagon.afmra.mbx.afms-covid-vaccine@mail.mil</u>

14 Jun 2022 1600-1730 ET



Meeting ROEs/Info



ROEs:

- Remember to place your phone on Mute when joining.
- To unmute press *6, if needed.
- Please type your questions in the chat box when possible/practical or ask at the end of each presentation at the presenter's cue.
- Presentation Locations:
 - AFMS Allergy/Immunization Kx: <u>Link to Slides on Kx</u>
 - MilSuite site: "Coord and Champ Meeting Slides" folder
- MS Teams Link/Dial In:
 - Link (audio & slides): <u>Join Microsoft Teams Meeting</u>
 - Dial-In (audio only):
 - 1-410-874-6749 + Conference ID: 137 855 070#



DISCLAIMER



The information provided in today's briefing may change in light of forthcoming guidance from ACIP, DHA, FDA, etc.



Agenda



New Business

- Vaccine Program Update Lt Col Sayers
- Vaccine Medical Logistics/Distribution Update Ms.
 Hartmann
- Vaccine Training- TSgt Niebanck
- Summary



Admin Updates



- (INFO) 'Monday message' e-mail transmittals continue to be sent out weekly: Link to location on Allergy/Immunization KX
- (INFO) Ensure your site POCs are updated on the Kx to receive emails (next slides)...

Best viewed in HTML

Sending on behalf of AFMRA SG3/4 COVID-19 Vaccination Program and Defense Health Agency (DHA)

AFMS MAJCOM Surgeons and Medical Wing/Group/Squadron Commanders, MTF Directors, Vaccine Coordinators and Logistics Champions,

- S: Please review the recently released COVID-19 guidance/policies as of 1 Nov 2021.
- B: Download/save the following attachments from the Kx: <u>Allergy/Immunization (health.mil)</u>. 1. MMQ-21-1599, Moderna Vial Puncture Limitations
 - About: Released on 26 Oct 2021. An official transmittal was forwarded to all MAJCOMs/MTFs/RMUs & Vaccine Coord and Champions last week.
 - 2. MMQC-21-1601, Moderna_Janssen_COVID-19 Vaccine Booster Dose Recommendations
 - About: Released on 26 Oct 2021, the FDA has amended the EUA COVID-19
 vaccine for Moderna and Janssen. An official transmittal was forwarded to all
 MAJCOMs/MTFs/RMUs & Vaccine Coord and Champions last week. References
 five (5) attachments (2a-2e).
 - 3. DAF Implementation of DoD FHP Supplemental 23 Revision 1 Transmittal
 - About: Released on 26 Oct 2021. An official transmittal was forwarded to all MAJCOMs/MTFs/RMUs & Vaccine Coord and Champions last week.
 - 4. COVID-19 Vaccine 3rd Dose or Booster Dose Eligibility Clinical Algorithm 28Oct2021
 - About: Developed by DHA-IHD, this is a great resource for your vaccine clinics/immunizers.
 - 5. COVID-19 Vaccine Quick Reference Guide for Healthcare Professionals_28Oct2021
 6. MMQC-21-1613_Disposition Guidance for Moderna Vaccine_28Oct2021
 - About: Released on 28 Oct 2021. Note that this pdf published has grammar/script errors and has contains a lot of "?". No update since it was published to date. References one attachment (6a.).
 - 7. MMQC-21-1617_COVID-19 Vaccine Lot and Expiration Information
 - About: Released on 1 Nov 2021. DHA would like to reiterate/provide procedures for location COVID-19 vaccine lot and expiration information. New lot expiration dates would be reflected on the manufacture website.
 - 8. MMQC-21-1614_Pfizer COVID Vaccine Training for Current New Formulations (peds)_28Oct2021
 - About: Released on 28 Oct 2021. These training links were forwarded to all COVID-19 allergy/immunization technicians last week.
- A: Download/read the attachments.
- R: Implement/Share with your vaccine site/MTF logistics staff.

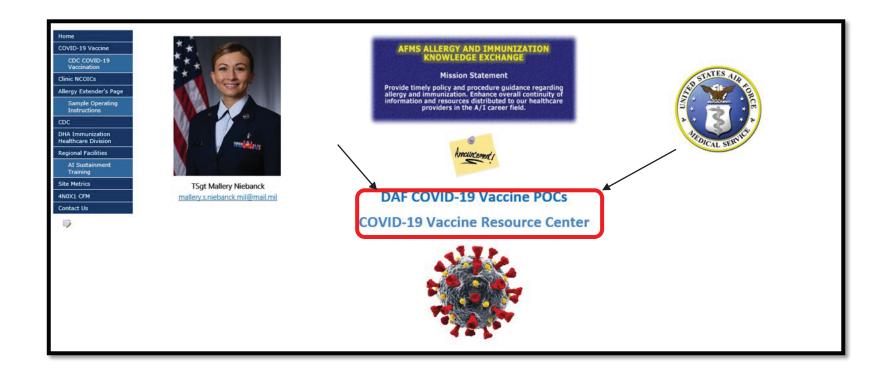
Page 1 of 2



DAF COVID-19 Vaccine POCs



- To update/add/remove your information:
 - Go to Allergy and Immunization KX home page
 - Click 'DAF COVID-19 Vaccine POCs' on main page

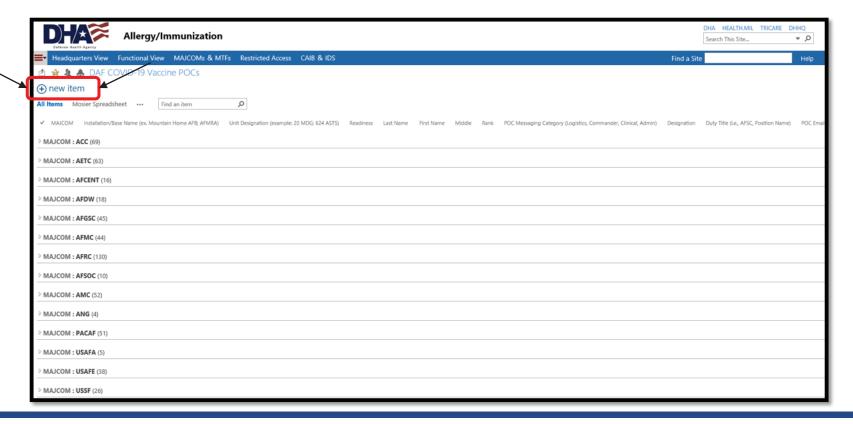




DAF COVID-19 Vaccine POCs



- To add a new POC:
 - Once tab opens click "+ new item" at top of page --> Fill out info

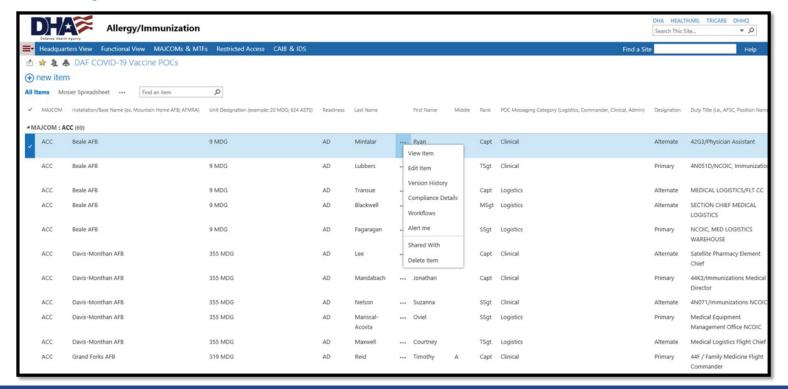




DAF COVID-19 Vaccine POCs



- To edit/remove an existing entry:
 - Click "MAJCOM" next to your assigned MAJCOM (or 'Other') to expand list --> Find name of person needing edits --> Click ellipsis between their last and first name --> Edit item





Department of the Air Force

Innovate, Accelerate, Thrive - The Air Force at 75

COVID-19 Vaccine Operation Updates



David Sayers, MD, MTM&H Lt Col, USAF, MC SG3PM/AFMRA

<u>usaf.pentagon.afmra.mbx.afms-covid-vaccine@mail.mil</u>

14 Jun 2022 1600-1730 ET



COVID-19 Vaccine Operations

U.S. Air Force

cao 13 June 2022

- DoD Vaccine Operations:
 - Pfizer-BioNTech
 - Purple vial/cap EUA/BLA lots; DoD working to exhaust supply
 - Gray vial/cap Now available to order; All COMIRNATY labeled
 - Moderna (SPIKEVAX)
 - ASD(HA) Memo (3 May 22) Use of Moderna COVID-19 vaccine & SPIKEVAX
- Novavax
 - FDA advisory VRBPAC endorsed vaccine authorization (7 Jun 22)
 - FDA official decision still pending
 - ACIP/CDC meeting & recommendations to occur after FDA decision
 - DoD will have supply ordering details forthcoming

As of:



COVID-19 Vaccine Operations

U.S. Air Force

cao 13 June 2022

Upcoming regulatory meetings:

- FDA (14-15 Jun 22)
 - Moderna for 12 17 years of age (100 mcg)
 - Moderna for 6 11 years of age (50 mcg)
 - Moderna for 6 mos 5 years of age (25 mcg)
 - Pfizer-BioNTech for 6 mos 5 years (0.3 mcg)
- CDC (16-17 Jun 22)
 - Pediatric vaccine authorizations
 - Agendas pending
- FDA (28 Jun 22)
 - Updates to vaccine formulations for future booster doses



Department of the Air Force

Innovate, Accelerate, Thrive - The Air Force at 75

COVID-19 Vaccine Distribution



Ms. Kimberly Hartmann kimberly.j.hartmann.civ@mail.mil Force Health Protection Manager AFMRA/SG4M

TSgt Crystal Hale crystal.s.hale@mail.mil Logistics Manning Support AFMRA/SG4M

14 Jun 2022



COVID-19 Vaccine Distribution Agenda



- Orders
- MMQC Messages
- Key Reminders



COVID-19 Vaccine Distribution Orders



Orders

- Submit orders timely and accurately
 - Be aware of minimum order quantities
 - Currently Adult Pfizer doses (Purple Cap) can be ordered less than minimum
 - Be realistic with your Required Delivery Dates (RDD)
 - CONUS 7-10 days
 - International 14 days
 - Redistribution 14-21 days
 - AFMRA does not have the ability to expedite or redirect vaccines to meet short suspense's
 - Be proactive/communicate with your customers on their needs
- Use the Comments Section
 - Identify if shipping to GSUs



COVID-19 Vaccine Distribution MMQC Messages



- MMQC-22-1203 (26 Apr)
 - Additional Pfizer Tris Product Shelf-Life Extension (Orange Cap)
- MMQC-22-1267 (24 May)
 - COVID-19 Vaccine Recommendation for Booster Dose For Children Ages 5-11 Years
- MMQC-22-1268 (25 May)
 - Comirnaty-labeled (Tris-Sucrose/Gray Cap) Storage, Handling and Ordering Guidance
- MMQC-22-1273 (26 May)
 - Pfizer (Purple Cap) Shelf-Life Extension
- MMQC-22-1291 (9 Jun)
 - Pediatric COVID-19 Vaccination (6 mo 5 yr) DoD Pre-Ordering Guidance
 - SUSPENSE 14 Jun 2022
 - CONUS- Recommended to order only 30% of total requirement
 - Once the initial roll-out is completed the 30 percent recommendation will be lifted
 - OCONUS- All pre-orders will be filled at 100%
- https://www.amlc.army.mil/USAMMA/Logistics/MMQCMMIMsgMgmt/

17



COVID-19 Vaccine Distribution Key Reminders



- Purple Cap (Adult) Pfizer
 - Has EUA lot numbers and BLA lot numbers
 - Currently being used for vaccine mandate requirements
 - MTF's shall continue ordering until inventory is exhausted or expired
- Comirnaty Adult Pfizer (Gray Cap)
 - Currently approving orders of 600 doses or less (if more, justification needed)
 - CONUS- Can ship frozen 300 doses or more (increments of 300)
 - USAMMA-DOC will ship orders less than 300 doses (but not smaller than 60 doses)
 - Will ship 2C to 8C with a 10 week shelf-life
 - OCONUS- Will ship refrigerated (2C to 8C) 10 week shelf-life
 - 300 Doses Minimum Quantity (increments of 300)
- DoD Way-Ahead
 - Preparation of Novavax
 - Anticipated that Ancillary Kits will be included
 - End of July/Early August

18

As of:



UNCLASSIFIED: 21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 27 of 59 COVID-19 Vaccine **Distribution Questions**





As of:

Department of the Air Force

Innovate, Accelerate, Thrive - The Air Force at 75

COVID-19 Vaccine Immunizer/ Training Update



TSgt Mallery Niebanck Enlisted Allergy/Immunizations Consultant mallery.s.niebanck.mil@mail.mil

> 14 Jun 2022 1600-1730 ET



Pfizer COVD-19 Varoon Cap **Training**



- **Maroon Cap (6 months through 4 years)**
- Preparation:
 - Dilute before use 2.2 mL diluent
- Administration:
 - 0.2 mL/3 mcg 10 doses per vial
 - Anterolateral thigh
- Storage/Handling:
 - ULT Freezer: 12 months
 - Refrigerator (2°C to 8°C): 10 weeks
 - Room temperature: 12 hrs prior to 1st puncture (including any that time)
 - After 1st puncture (2°C to 25°C): Discard after 12 hrs
 - Do NOT store in the freezer
- Training: https://www.pfizermedicalinformation.com/en-us/medical-updates
 - Sessions scheduled through July 8th

21

As of:





Summary



✓ Recap:

- ✓ Vaccine Program Update Lt Col Sayers
- ✓ Vaccine Medical Logistics Update Ms. Hartmann
- ✓ Vaccine Training- TSgt Niebanck
- Reminder: Check DAF COVID-19 Vaccine Confidence Working Group Milsuite site for updated products!
- Next COVID-19 Coord and Champ Meeting: Pause over the summer. Will continue communication through Monday Messages
- AFMRA COVID-19 Vaccine Program org box: usaf.pentagon.afmra.mbx.afms-covid-vaccine@mail.mil

As of:



Key Points of Contact



Functional Managers:

SG3/4: Col Elizabeth Beal

elizabeth.a.beal6.mil@mail.mil

SG3/40: Col Art Chapa

artemio.c.chapa.mil@mail.mil

SG3/4P: Col Sanjay Gogate sanjay.a.gogate.mil@mail.mil

SG3/4D: Col Donald Sheets donald.w.sheets.mil@mail.mil

4N CFM: CMSgt Taliah Wilkerson taliah.m.wilkerson.mil@mail.mil

Public Health: Col Maureen Farrell maureen.a.farrell.mil@mail.mil

Logistics: Col Charles Marek charles.e.marek.mil@mail.mil

Laboratory: Vacant

AF Clinical Experts/Consultants:

Emergency Medicine: Lt Col Matt Streitz

matthew.j.streitz.mil@mail.mil

Emergency Nursing: Major Anthony Interrante

anthony.interrante2.mil@mail.mil

EMS State Director: SMSgt Valerie V. Lee

valerie.v.lee2.mil@mail.mil

Critical Care Medicine/Pediatrics: Lt Cols Kilburn & Matos jeremy.p.kilburn.mil@mail.mil [Pulmonology)

renee.i.matos.mil@mail.mil [Pediatrics]

Critical Care Nursing: Col Lionel Lyde

lionel.m.lyde3.mil@mail.mil

Critical Care Med Tech: TSgt Amanda Lenamond

amanda.m.lenamond.mil@mail.mil

Respiratory Therapy: CMSgt Lisa Pickett

lisa.m.pickett4.mil@mail.mil

Infectious Disease: Col Jason Okulicz

jason.f.okulicz.mil@mail.mil

Infection Control: Lt Col Aleacha Philson

aleacha.c.philson.mil@mail.mil

All AF/SG Consultants/CFMs listed at: https://kx.health.mil/kj/kx4/SGConsultants/Pages/home.aspx



Exhibit C

Individuals using assistive technology may not be able to fully access the information contained in this file. For assistance, please send an e-mail to: ocod@fda.hhs.gov and include 508 Accommodation and the title of the document in the subject line of your e-mail.

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 36 of 59

HIGHLIGHTS OF PRESCRIBING INFORMATION

These highlights do not include all the information needed to use COMIRNATY safely and effectively. See full prescribing information for COMIRNATY.

COMIRNATY® (COVID-19 Vaccine, mRNA) suspension for injection, for intramuscular use Initial U.S. Approval: 2021

RECENT MAJOR CHANGES								
Indications and Usage (1)	7/2022							
Dosage and Administration (2)	8/2022							
Dosage and Administration, Preparation for Administration (2.1)	8/2022							
Dosage and Administration, Administration Information (2.2)	8/2022							
INDICATIONS AND USAGE								

COMIRNATY is a vaccine indicated for active immunization to prevent coronavirus disease 2019 (COVID-19) caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in individuals 12 years of age and older. (1)

---DOSAGE AND ADMINISTRATION --

- COMIRNATY supplied in single dose vials or multiple dose vials with gray caps and labels with gray borders MUST NOT be diluted prior to use. (2.1)
- For intramuscular injection only. (2.2)
- COMIRNATY is administered intramuscularly as a series of 2 doses (0.3 mL each) 3 weeks apart. (2.3)

--- DOSAGE FORMS AND STRENGTHS-----Suspension for injection. A single dose is 0.3 mL. (3) --- CONTRAINDICATIONS -Known history of a severe allergic reaction (e.g., anaphylaxis) to any

--- WARNINGS AND PRECAUTIONS -

- Postmarketing data demonstrate increased risks of myocarditis and pericarditis, particularly within 7 days following the second dose. (5.2)
- Syncope (fainting) may occur in association with administration of injectable vaccines, including COMIRNATY. Procedures should be in place to avoid injury from fainting. (5.4)

--- ADVERSE REACTIONS ---

- In clinical studies of participants 16 through 55 years of age, the most commonly reported adverse reactions (≥10%) were pain at the injection site (88.6%), fatigue (70.1%), headache (64.9%), muscle pain (45.5%), chills (41.5%), joint pain (27.5%), fever (17.8%), and injection site swelling (10.6%). (6.1)
- In clinical studies of participants 56 years of age and older, the most commonly reported adverse reactions (≥10%) were pain at the injection site (78.2%), fatigue (56.9%), headache, (45.9%), muscle pain (32.5%), chills (24.8%), joint pain (21.5%), injection site swelling (11.8%), fever (11.5%), and injection site redness (10.4%). (6.1)
- In clinical studies of adolescents 12 through 15 years of age, the most commonly reported adverse reactions (≥8%) were pain at the injection site (90.5%), fatigue (77.5%), headache (75.5%), chills (49.2%), muscle pain (42.2%), fever (24.3%), joint pain (20.2%), injection site swelling (9.2%), and injection site redness (8.6%). (6.1)

To report SUSPECTED ADVERSE REACTIONS, contact Pfizer Inc. at 1-800-438-1985 or VAERS at 1-800-822-7967 or http://vaers.hhs.gov.

See 17 for PATIENT COUNSELING INFORMATION.

Revised: 8/2022

FULL PRESCRIBING INFORMATION: CONTENTS*

INDICATIONS AND USAGE

component of COMIRNATY. (4)

- DOSAGE AND ADMINISTRATION
 - Preparation for Administration
 - 2.2 Administration Information
 - Vaccination Schedule 23
- DOSAGE FORMS AND STRENGTHS
- CONTRAINDICATIONS
- WARNINGS AND PRECAUTIONS
 - Management of Acute Allergic Reactions
 - Myocarditis and Pericarditis 5.2
 - 5.3 Syncope
 - Altered Immunocompetence 5.4
 - Limitation of Effectiveness
- ADVERSE REACTIONS
 - Clinical Trials Experience
- Postmarketing Experience 6.2
- USE IN SPECIFIC POPULATIONS
 - Pregnancy

- 8.2 Lactation
- 8.4 Pediatric Use Geriatric Use
- 11 DESCRIPTION
- CLINICAL PHARMACOLOGY
 - 12.1 Mechanism of Action
- NONCLINICAL TOXICOLOGY
 - 13.1 Carcinogenesis, Mutagenesis, Impairment of Fertility
- **CLINICAL STUDIES**
 - 14.1 Efficacy in Participants 16 Years of Age and Older
 - 14.2 Efficacy in Adolescents 12 Through 15 Years of Age
 - Immunogenicity in Adolescents 12 Through 15 Years of Age
- 16 HOW SUPPLIED/STORAGE AND HANDLING
- 17 PATIENT COUNSELING INFORMATION

^{*} Sections or subsections omitted from the full prescribing information are not listed.

FULL PRESCRIBING INFORMATION

1 INDICATIONS AND USAGE

COMIRNATY is a vaccine indicated for active immunization to prevent coronavirus disease 2019 (COVID-19) caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in individuals 12 years of age and older.

2 DOSAGE AND ADMINISTRATION

For intramuscular injection only.

The storage, preparation, and administration information in this Prescribing Information apply to COMIRNATY supplied in:

- single dose vials with gray caps and labels with gray borders, and
- multiple dose vials with gray caps and labels with gray borders.

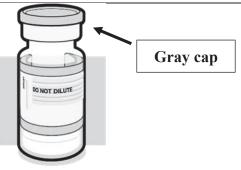
COMIRNATY supplied in vials with gray caps and labels with gray borders MUST NOT be diluted prior to use.

2.1 Preparation for Administration

- COMIRNATY vials with gray caps and labels with gray borders contain a frozen suspension without preservative. Each vial must be thawed prior to administration. **DO NOT DILUTE** prior to use.
- Vials may be thawed in the refrigerator [2°C to 8°C (35°F to 46°F)] or at room temperature [up to 25°C (77°F)].
- Refer to thawing and preparation instructions in the panels below.

Preparation Instructions

COMIRNATY Vial with Gray Cap and Label with Gray Border – Vial Verification



✓ Gray cap and label with gray border.

• Verify that the vial of COMIRNATY has a gray cap and a label with a gray border.

Thawing Prior to Use



Store in the refrigerator for up to 10 weeks prior to use.

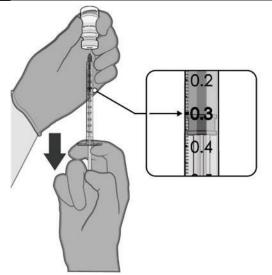
- Thaw vial(s) of COMIRNATY before use either by:
 - Allowing vial(s) to thaw in the refrigerator [2°C to 8°C (35°F to 46°F)].
 - A carton of 10 single dose vials may take up to 2 hours to thaw
 - A carton of 10 multiple dose vials may take up to 6 hours to thaw.
 - Allowing vial(s) to sit at room temperature [up to 25°C (77°F)] for 30 minutes.
- Thawed vials can be stored in the refrigerator [2°C to 8°C (35°F to 46°F)] for up to 10 weeks prior to use.
- Thawed vials may be stored at room temperature [up to 25°C (77°F)] for up to 12 hours prior to use.



Gently × 10

- Before use, mix by inverting vaccine vial gently 10 times.
- Do not shake.
- Prior to mixing, the thawed vaccine may contain white to off-white opaque amorphous particles.
- After mixing, the vaccine should appear as a white to off-white suspension with no visible particles.
- Do not use if liquid is discolored or if particles are observed after mixing.

Preparation of Individual 0.3 mL Doses



Withdraw 0.3 mL dose of vaccine.

Single Dose Vial

- Withdraw a single <u>0.3 mL</u> dose of COMIRNATY vaccine.
- Administer immediately.
- Discard vial and any excess volume.

Multiple Dose Vial

- Multiple dose vials contain 6 doses of 0.3 mL each.
- Withdraw <u>0.3 mL</u> of COMIRNATY preferentially using low dead-volume syringes and/or needles. If standard syringes and needles are used, there may not be sufficient volume to extract 6 doses from a single vial.
- Administer immediately.
- If the amount of vaccine remaining in a multiple dose vial cannot provide a full dose of 0.3 mL, discard the vial and any excess volume.

Multiple Dose Vial – Record Date and Time of First Puncture



Record the date and time of first puncture.
Use within 12 hours after first puncture.

- Record the date and time of first vial puncture on the COMIRNATY multiple dose vial label.
- Store between 2°C to 25°C (35°F to 77°F).
- Discard any unused vaccine 12 hours after first puncture.

2.2 Administration Information

Parenteral drug products should be inspected visually for particulate matter and discoloration prior to administration, whenever solution and container permit. The vaccine will be a white to off-white suspension. Do not administer if vaccine is discolored or contains particulate matter.

After withdrawing a single 0.3 mL dose of COMIRNATY, administer immediately.

2.3 Vaccination Schedule

COMIRNATY is administered intramuscularly as a series of 2 doses (0.3 mL each) 3 weeks apart.

There are no data available on the interchangeability of COMIRNATY with COVID-19 vaccines from other manufacturers to complete the vaccination series. Individuals who have received 1 dose of COMIRNATY should receive a second dose of COMIRNATY to complete the vaccination series.

3 DOSAGE FORMS AND STRENGTHS

COMIRNATY is a suspension for injection. Each dose of COMIRNATY supplied in vials with gray caps and labels with gray borders is 0.3 mL.

4 CONTRAINDICATIONS

Do not administer COMIRNATY to individuals with known history of a severe allergic reaction (e.g., anaphylaxis) to any component of COMIRNATY [see Description (11)].

5 WARNINGS AND PRECAUTIONS

5.1 Management of Acute Allergic Reactions

Appropriate medical treatment used to manage immediate allergic reactions must be immediately available in the event an acute anaphylactic reaction occurs following administration of COMIRNATY.

5.2 Myocarditis and Pericarditis

Postmarketing data demonstrate increased risks of myocarditis and pericarditis, particularly within 7 days following the second dose. The observed risk is higher among males under 40 years of age than among females and older males. The observed risk is highest in males 12 through 17 years of age. Although some cases required intensive care support, available data from short-term follow-up suggest that most individuals have had resolution of symptoms with conservative management. Information is not yet available about potential long-term sequelae. The CDC has published considerations related to myocarditis and pericarditis after vaccination, including for vaccination of individuals with a history of myocarditis or pericarditis (https://www.cdc.gov/vaccines/covid-19/clinical-considerations/myocarditis.html).

5.3 Syncope

Syncope (fainting) may occur in association with administration of injectable vaccines, including COMIRNATY. Procedures should be in place to avoid injury from fainting.

5.4 Altered Immunocompetence

Immunocompromised persons, including individuals receiving immunosuppressant therapy, may have a diminished immune response to COMIRNATY.

5.5 Limitation of Effectiveness

COMIRNATY may not protect all vaccine recipients.

6 ADVERSE REACTIONS

In clinical studies, the most commonly reported (\geq 10%) adverse reactions in participants 16 through 55 years of age following any dose were pain at the injection site (88.6%), fatigue (70.1%), headache (64.9%), muscle pain (45.5%), chills (41.5%), joint pain (27.5%), fever (17.8%), and injection site swelling (10.6%).

In clinical studies, the most commonly reported ($\geq 10\%$) adverse reactions in participants 56 years of age and older following any dose were pain at the injection site (78.2%), fatigue (56.9%), headache, (45.9%), muscle

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 41 of 59

pain (32.5%), chills (24.8%), joint pain (21.5%), injection site swelling (11.8%), fever (11.5%), and injection site redness (10.4%).

In a clinical study, the most commonly reported ($\geq 8\%$) adverse reactions in adolescents 12 through 15 years of age following any dose were pain at the injection site (90.5%), fatigue (77.5%), headache (75.5%), chills (49.2%), muscle pain (42.2%), fever (24.3%), joint pain (20.2%), injection site swelling (9.2%), and injection site redness (8.6%).

6.1 Clinical Trials Experience

Because clinical trials are conducted under widely varying conditions, adverse reaction rates observed in the clinical trials of a vaccine cannot be directly compared to rates in the clinical trials of another vaccine and may not reflect the rates observed in practice.

The safety of COMIRNATY was evaluated in participants 12 years of age and older in 2 clinical studies conducted in Germany (Study 1), United States, Argentina, Brazil, Turkey, South Africa, and Germany (Study 2). Study BNT162-01 (Study 1) was a Phase 1/2, 2-part, dose-escalation trial that enrolled 60 participants, 18 through 55 years of age and 36 participants, 56 through 85 years of age. Study C4591001 (Study 2) is a Phase 1/2/3 multicenter, multinational, randomized, saline placebo-controlled, double-blinded (Phase 2/3), dose-finding, vaccine candidate-selection and efficacy study that has enrolled approximately 46,000 participants 12 years of age or older. Of these, approximately 44,047 participants (22,026 COMIRNATY; 22,021 placebo) in Phase 2/3 are 16 years of age or older (including 378 and 376 participants 16 through 17 years of age in the COMIRNATY and placebo groups, respectively) and 2,260 adolescents are 12 through 15 years of age (1,131 and 1,129 in the COMIRNATY and placebo groups, respectively). Upon issuance of the Emergency Use Authorization for COMIRNATY, participants were unblinded to offer placebo participants COMIRNATY. Participants were unblinded in a phased manner over a period of months to offer placebo participants COMIRNATY. Study 2 also included 200 participants with confirmed stable human immunodeficiency virus (HIV) infection; HIV-positive participants are included in safety population disposition but are summarized separately in safety analyses. Confirmed stable HIV infection was defined as documented viral load <50 copies/mL and CD4 count >200 cells/mm³ within 6 months before enrollment, and on stable antiretroviral therapy for at least 6 months.

In Study 2, all participants 12 through 15 years of age, and 16 years and older in the reactogenicity subset were monitored for solicited local and systemic reactions and use of antipyretic medication after each vaccination in an electronic diary. Participants are being monitored for unsolicited adverse events, including serious adverse events, throughout the study [from Dose 1 through 1 month (all unsolicited adverse events) or 6 months (serious adverse events) after the last vaccination]. Tables 1 through 6 present the frequency and severity of solicited local and systemic reactions, respectively, within 7 days following each dose of COMIRNATY and placebo.

Participants 16 Years of Age and Older

At the time of the analysis of the ongoing Study 2 with a data cutoff of March 13, 2021, there were 25,651 (58.2%) participants (13,031 COMIRNATY and 12,620 placebo) 16 years of age and older followed for \geq 4 months after the second dose.

Demographic characteristics in Study 2 were generally similar with regard to age, gender, race, and ethnicity among participants who received COMIRNATY and those who received placebo. Overall, among the total participants who received either COMIRNATY or placebo, 50.9% were male, 49.1% were female, 79.3% were 16 through 64 years of age, 20.7% were 65 years of age and older, 82.0% were White, 9.6% were Black or

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 42 of 59

African American, 25.9% were Hispanic/Latino, 4.3% were Asian, and 1.0% were American Indian or Alaska Native.

Local and Systemic Adverse Reactions Solicited in the Study 2

In participants 16 through 55 years of age after receiving Dose 2, the mean duration of pain at the injection site was 2.5 days (range 1 to 70 days), for redness 2.2 days (range 1 to 9 days), and for swelling 2.1 days (range 1 to 8 days) for participants in the COMIRNATY group. In participants 56 years of age and older after receiving Dose 2, the mean duration of pain at the injection site was 2.4 days (range 1 to 36 days), for redness 3.0 days (range 1 to 34 days), and for swelling 2.6 days (range 1 to 34 days) for participants in the COMIRNATY group.

Table 1: Study 2 – Frequency and Percentages of Participants with Solicited Local Reactions, by Maximum Severity, Within 7 Days After Each Dose – Participants 16 Through 55 Years of Age – Reactogenicity Subset of the Safety Population*

	COMIRNATY	Placebo	COMIRNATY	Placebo
	Dose 1	Dose 1	Dose 2	Dose 2
	Na=2899	Na=2908	$N^a = 2682$	Na=2684
	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Redness ^c				
Any (>2.0 cm)	156 (5.4)	28 (1.0)	151 (5.6)	18 (0.7)
Mild	113 (3.9)	19 (0.7)	90 (3.4)	12 (0.4)
Moderate	36 (1.2)	6 (0.2)	50 (1.9)	6 (0.2)
Severe	7 (0.2)	3 (0.1)	11 (0.4)	0
Swelling ^c				
Any (>2.0 cm)	184 (6.3)	16 (0.6)	183 (6.8)	5 (0.2)
Mild	124 (4.3)	6 (0.2)	110 (4.1)	3 (0.1)
Moderate	54 (1.9)	8 (0.3)	66 (2.5)	2 (0.1)
Severe	6 (0.2)	2 (0.1)	7 (0.3)	0
Pain at the injection site ^d				
Any	2426 (83.7)	414 (14.2)	2101 (78.3)	312 (11.6)
Mild	1464 (50.5)	391 (13.4)	1274 (47.5)	284 (10.6)
Moderate	923 (31.8)	20 (0.7)	788 (29.4)	28 (1.0)
Severe	39 (1.3)	3 (0.1)	39 (1.5)	0

Notes: Reactions were collected in the electronic diary (e-diary) from Day 1 to Day 7 after vaccination.

No Grade 4 solicited local reactions were reported in participants 16 through 55 years of age.

^{*} Randomized participants in the safety analysis population who received at least 1 dose of the study intervention. Participants with chronic, stable HIV infection were excluded.

a. N = Number of participants reporting at least 1 yes or no response for the specified reaction after the specified dose. The N for each reaction was the same, therefore, this information was included in the column header.

b. n = Number of participants with the specified reaction.

c. Mild: >2.0 to <5.0 cm; Moderate: >5.0 to <10.0 cm; Severe: >10.0 cm.

d. Mild: does not interfere with activity; Moderate: interferes with activity; Severe: prevents daily activity.

Table 2: Study 2 – Frequency and Percentages of Participants with Solicited Systemic Reactions, by Maximum Severity, Within 7 Days After Each Dose – Participants 16 Through 55 Years of

Age – Reactogenicity Subset of the Safety Population*

8	COMIRNATY	Placebo	COMIRNATY	Placebo
	Dose 1	Dose 1	Dose 2	Dose 2
	Na=2899	Na=2908	Na=2682	Na=2684
Farrage	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Fever	110 (4.1)	25 (0.0)	440 (17.4)	11 (0.4)
≥38.0°C	119 (4.1)	25 (0.9)	440 (16.4)	11 (0.4)
≥38.0°C to 38.4°C	86 (3.0)	16 (0.6)	254 (9.5)	5 (0.2)
>38.4°C to 38.9°C	25 (0.9)	5 (0.2)	146 (5.4)	4 (0.1)
>38.9°C to 40.0°C	8 (0.3)	4 (0.1)	39 (1.5)	2 (0.1)
>40.0°C	0	0	1 (0.0)	0
Fatigue ^c		1 0.50 (22.0)		
Any	1431 (49.4)	960 (33.0)	1649 (61.5)	614 (22.9)
Mild	760 (26.2)	570 (19.6)	558 (20.8)	317 (11.8)
Moderate	630 (21.7)	372 (12.8)	949 (35.4)	283 (10.5)
Severe	41 (1.4)	18 (0.6)	142 (5.3)	14 (0.5)
Headache ^c				
Any	1262 (43.5)	975 (33.5)	1448 (54.0)	652 (24.3)
Mild	785 (27.1)	633 (21.8)	699 (26.1)	404 (15.1)
Moderate	444 (15.3)	318 (10.9)	658 (24.5)	230 (8.6)
Severe	33 (1.1)	24 (0.8)	91 (3.4)	18 (0.7)
Chills ^c				
Any	479 (16.5)	199 (6.8)	1015 (37.8)	114 (4.2)
Mild	338 (11.7)	148 (5.1)	477 (17.8)	89 (3.3)
Moderate	126 (4.3)	49 (1.7)	469 (17.5)	23 (0.9)
Severe	15 (0.5)	2 (0.1)	69 (2.6)	2 (0.1)
Vomiting ^d				
Any	34 (1.2)	36 (1.2)	58 (2.2)	30 (1.1)
Mild	29 (1.0)	30 (1.0)	42 (1.6)	20 (0.7)
Moderate	5 (0.2)	5 (0.2)	12 (0.4)	10 (0.4)
Severe	0	1 (0.0)	4 (0.1)	0
Diarrhea ^e			·	
Any	309 (10.7)	323 (11.1)	269 (10.0)	205 (7.6)
Mild	251 (8.7)	264 (9.1)	219 (8.2)	169 (6.3)
Moderate	55 (1.9)	58 (2.0)	44 (1.6)	35 (1.3)
Severe	3 (0.1)	1 (0.0)	6 (0.2)	1 (0.0)
New or worsened musc		. /	` /	. /
Any	664 (22.9)	329 (11.3)	1055 (39.3)	237 (8.8)
Mild	353 (12.2)	231 (7.9)	441 (16.4)	150 (5.6)
Moderate	296 (10.2)	96 (3.3)	552 (20.6)	84 (3.1)
Severe	15 (0.5)	2 (0.1)	62 (2.3)	3 (0.1)
New or worsened joint		. , ,	` /	. , ,
Any	342 (11.8)	168 (5.8)	638 (23.8)	147 (5.5)
Mild	200 (6.9)	112 (3.9)	291 (10.9)	82 (3.1)
Moderate	137 (4.7)	55 (1.9)	320 (11.9)	61 (2.3)
Severe	5 (0.2)	1 (0.0)	27 (1.0)	4 (0.1)

	COMIRNATY	Placebo	COMIRNATY	Placebo
	Dose 1	Dose 1	Dose 2	Dose 2
	N ^a =2899	$N^a=2908$	$N^a=2682$	Na=2684
	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Use of antipyretic or				
pain medication ^f	805 (27.8)	398 (13.7)	1213 (45.2)	320 (11.9)

Notes: Reactions and use of antipyretic or pain medication were collected in the electronic diary (e-diary) from Day 1 to Day 7 after each dose.

No Grade 4 solicited systemic reactions were reported in participants 16 through 55 years of age.

- * Randomized participants in the safety analysis population who received at least 1 dose of the study intervention. Participants with chronic, stable HIV infection were excluded.
- a. N = Number of participants reporting at least 1 yes or no response for the specified reaction after the specified dose. The N for each reaction or use of antipyretic or pain medication was the same, therefore, this information was included in the column header.
- b. n = Number of participants with the specified reaction.
- c. Mild: does not interfere with activity; Moderate: some interference with activity; Severe: prevents daily activity.
- d. Mild: 1 to 2 times in 24 hours; Moderate: >2 times in 24 hours; Severe: requires intravenous hydration.
- e. Mild: 2 to 3 loose stools in 24 hours; Moderate: 4 to 5 loose stools in 24 hours; Severe: 6 or more loose stools in 24 hours.
- f. Severity was not collected for use of antipyretic or pain medication.

Table 3: Study 2 – Frequency and Percentages of Participants with Solicited Local Reactions, by Maximum Severity, Within 7 Days After Each Dose – Participants 56 Years of Age and Older – Reactogenicity Subset of the Safety Population*

	COMIRNATY	Placebo	COMIRNATY	Placebo
	Dose 1	Dose 1	Dose 2	Dose 2
	$N^a=2008$	Na=1989	$N^a=1860$	Na=1833
	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Redness ^c				
Any (>2.0 cm)	106 (5.3)	20 (1.0)	133 (7.2)	14 (0.8)
Mild	71 (3.5)	13 (0.7)	65 (3.5)	10 (0.5)
Moderate	30 (1.5)	5 (0.3)	58 (3.1)	3 (0.2)
Severe	5 (0.2)	2 (0.1)	10 (0.5)	1 (0.1)
Swelling ^c				
Any (>2.0 cm)	141 (7.0)	23 (1.2)	145 (7.8)	13 (0.7)
Mild	87 (4.3)	11 (0.6)	80 (4.3)	5 (0.3)
Moderate	52 (2.6)	12 (0.6)	61 (3.3)	7 (0.4)
Severe	2 (0.1)	0	4 (0.2)	1 (0.1)
Pain at the injection sit	e ^d			
Any (>2.0 cm)	1408 (70.1)	185 (9.3)	1230 (66.1)	143 (7.8)
Mild	1108 (55.2)	177 (8.9)	873 (46.9)	138 (7.5)
Moderate	296 (14.7)	8 (0.4)	347 (18.7)	5 (0.3)
Severe	4 (0.2)	0	10 (0.5)	0

Notes: Reactions were collected in the electronic diary (e-diary) from Day 1 to Day 7 after vaccination.

No Grade 4 solicited local reactions were reported in participants 56 years of age and older.

- a. N = Number of participants reporting at least 1 yes or no response for the specified reaction after the specified dose. The N for each reaction was the same, therefore, the information was included in the column header.
- b. n = Number of participants with the specified reaction.
- c. Mild: >2.0 to ≤ 5.0 cm; Moderate: >5.0 to ≤ 10.0 cm; Severe: >10.0 cm.
- d. Mild: does not interfere with activity; Moderate: interferes with activity; Severe: prevents daily activity.

^{*} Randomized participants in the safety analysis population who received at least 1 dose of the study intervention. Participants with chronic, stable HIV infection were excluded.

Table 4: Study 2 – Frequency and Percentages of Participants with Solicited Systemic Reactions, by Maximum Severity, Within 7 Days After Each Dose – Participants 56 Years of Age and

Older - Reactogenicity Subset of the Safety Population*

Older – React	logenicity Subset of the	· · ·		
	COMIRNATY	Placebo	COMIRNATY	Placebo
	Dose 1	Dose 1	Dose 2	Dose 2
	Na=2008	Na=1989	Na=1860	Na=1833
-	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Fever	T	T	T	
≥38.0°C	26 (1.3)	8 (0.4)	219 (11.8)	4 (0.2)
≥38.0°C to 38.4°C	23 (1.1)	3 (0.2)	158 (8.5)	2 (0.1)
>38.4°C to 38.9°C	2 (0.1)	3 (0.2)	54 (2.9)	1 (0.1)
>38.9°C to 40.0°C	1 (0.0)	2 (0.1)	7 (0.4)	1 (0.1)
>40.0°C	0	0	0	0
Fatigue ^c				
Any	677 (33.7)	447 (22.5)	949 (51.0)	306 (16.7)
Mild	415 (20.7)	281 (14.1)	391 (21.0)	183 (10.0)
Moderate	259 (12.9)	163 (8.2)	497 (26.7)	121 (6.6)
Severe	3 (0.1)	3 (0.2)	60 (3.2)	2 (0.1)
Grade 4	0	0	1 (0.1)	0
Headache ^c	•			
Any	503 (25.0)	363 (18.3)	733 (39.4)	259 (14.1)
Mild	381 (19.0)	267 (13.4)	464 (24.9)	189 (10.3)
Moderate	120 (6.0)	93 (4.7)	256 (13.8)	65 (3.5)
Severe	2 (0.1)	3 (0.2)	13 (0.7)	5 (0.3)
Chills ^c	(*)	- (-)	- (- ')	- ()
Any	130 (6.5)	69 (3.5)	435 (23.4)	57 (3.1)
Mild	102 (5.1)	49 (2.5)	229 (12.3)	45 (2.5)
Moderate	28 (1.4)	19 (1.0)	185 (9.9)	12 (0.7)
Severe	0	1 (0.1)	21 (1.1)	0
Vomiting ^d	-	(*)		-
Any	10 (0.5)	9 (0.5)	13 (0.7)	5 (0.3)
Mild	9 (0.4)	9 (0.5)	10 (0.5)	5 (0.3)
Moderate	1 (0.0)	0	1 (0.1)	0
Severe	0	0	2 (0.1)	0
Diarrhea ^e	, v		2 (0.1)	<u> </u>
Any	168 (8.4)	130 (6.5)	152 (8.2)	102 (5.6)
Mild	137 (6.8)	109 (5.5)	125 (6.7)	76 (4.1)
Moderate	27 (1.3)	20 (1.0)	25 (1.3)	22 (1.2)
Severe	4 (0.2)	1 (0.1)	2 (0.1)	4 (0.2)
New or worsened muscle	\ /	1 (0.1)	2 (0.1)	T (0.2)
Any	274 (13.6)	165 (8.3)	537 (28.9)	99 (5.4)
Mild	183 (9.1)	111 (5.6)	229 (12.3)	65 (3.5)
Moderate	90 (4.5)	51 (2.6)	288 (15.5)	33 (1.8)
Severe	` '	` ′		` /
Severe	1 (0.0)	3 (0.2)	20 (1.1)	1 (0.1)

	COMIRNATY Dose 1 Na=2008 nb (%)	Placebo Dose 1 Na=1989 nb (%)	COMIRNATY Dose 2 Na=1860 nb (%)	Placebo Dose 2 Na=1833 nb (%)
New or worsened joint pa	ain ^c			
Any	175 (8.7)	124 (6.2)	353 (19.0)	72 (3.9)
Mild	119 (5.9)	78 (3.9)	183 (9.8)	44 (2.4)
Moderate	53 (2.6)	45 (2.3)	161 (8.7)	27 (1.5)
Severe	3 (0.1)	1 (0.1)	9 (0.5)	1 (0.1)
Use of antipyretic or				
pain medication ^f	382 (19.0)	224 (11.3)	688 (37.0)	170 (9.3)

Notes: Reactions and use of antipyretic or pain medication were collected in the electronic diary (e-diary) from Day 1 to Day 7 after each dose.

The only Grade 4 solicited systemic reaction reported in participants 56 years of age and older was fatigue.

- * Randomized participants in the safety analysis population who received at least 1 dose of the study intervention. Participants with chronic, stable HIV infection were excluded.
- a. N = Number of participants reporting at least 1 yes or no response for the specified reaction after the specified dose. N for each reaction or use of antipyretic or pain medication was the same, therefore was included in the column header.
- b. n = Number of participants with the specified reaction.
- c. Mild: does not interfere with activity; Moderate: some interference with activity; Severe: prevents daily activity; Grade 4 reactions were defined in the clinical study protocol as emergency room visit or hospitalization for severe fatigue, severe headache, severe chills, severe muscle pain, or severe joint pain.
- d. Mild: 1 to 2 times in 24 hours; Moderate: >2 times in 24 hours; Severe: requires intravenous hydration; Grade 4 emergency visit or hospitalization for severe vomiting.
- e. Mild: 2 to 3 loose stools in 24 hours; Moderate: 4 to 5 loose stools in 24 hours; Severe: 6 or more loose stools in 24 hours; Grade 4: emergency room or hospitalization for severe diarrhea.
- f. Severity was not collected for use of antipyretic or pain medication.

In participants with chronic, stable HIV infection the frequencies of solicited local and systemic adverse reactions were similar to or lower than those observed for all participants 16 years of age and older.

Unsolicited Adverse Events

Overall, 11,253 (51.1%) participants in the COMIRNATY group and 11,316 (51.4%) participants in the placebo group had follow-up time between \geq 4 months to <6 months after Dose 2 in the blinded placebo-controlled follow-up period with an additional 1,778 (8.1%) and 1,304 (5.9%) with \geq 6 months of blinded follow-up time in the COMIRNATY and placebo groups, respectively.

A total of 12,006 (54.5%) participants originally randomized to COMIRNATY had ≥6 months total (blinded and unblinded) follow-up after Dose 2.

In an analysis of all unsolicited adverse events reported following any dose, through 1 month after Dose 2, in participants 16 years of age and older (N=43,847; 21,926 COMIRNATY group vs. 21,921 placebo group), those assessed as adverse reactions not already captured by solicited local and systemic reactions were nausea (274 vs. 87), malaise (130 vs. 22), lymphadenopathy (83 vs. 7), asthenia (76 vs. 25), decreased appetite (39 vs. 9), hyperhidrosis (31 vs. 9), lethargy (25 vs. 6), and night sweats (17 vs. 3).

In analyses of all unsolicited adverse events in Study 2 from Dose 1 up to the participant unblinding date, 58.2% of study participants had at least 4 months of follow-up after Dose 2. Among participants 16 through 55 years of age who received at least 1 dose of study vaccine, 12,995 of whom received COMIRNATY and 13,026 of whom received placebo, unsolicited adverse events were reported by 4,396 (33.8%) participants in the COMIRNATY group and 2,136 (16.4%) participants in the placebo group. In a similar analysis in

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 47 of 59

participants 56 years of age and older that included 8,931 COMIRNATY recipients and 8,895 placebo recipients, unsolicited adverse events were reported by 2,551 (28.6%) participants in the COMIRNATY group and 1,432 (16.1%) participants in the placebo group. Among participants with confirmed stable HIV infection that included 100 COMIRNATY recipients and 100 placebo recipients, unsolicited adverse events were reported by 29 (29%) participants in the COMIRNATY group and 15 (15%) participants in the placebo group. The higher frequency of reported unsolicited adverse events among COMIRNATY recipients compared to placebo recipients was primarily attributed to events that are consistent with adverse reactions solicited among participants in the reactogenicity subset (Table 3 and Table 4).

Throughout the placebo-controlled safety follow-up period, Bell's palsy (facial paralysis) was reported by 4 participants in the COMIRNATY group and 2 participants in the placebo group. Onset of facial paralysis was Day 37 after Dose 1 (participant did not receive Dose 2) and Days 3, 9, and 48 after Dose 2. In the placebo group the onset of facial paralysis was Day 32 and Day 102. Currently available information is insufficient to determine a causal relationship with the vaccine. In the analysis of blinded, placebo-controlled follow-up, there were no other notable patterns or numerical imbalances between treatment groups for specific categories of non-serious adverse events (including other neurologic or neuro-inflammatory, and thrombotic events) that would suggest a causal relationship to COMIRNATY. In the analysis of unblinded follow-up, there were no notable patterns of specific categories of non-serious adverse events that would suggest a causal relationship to COMIRNATY.

Serious Adverse Events

In Study 2, among participants 16 through 55 years of age who had received at least 1 dose of vaccine or placebo (COMIRNATY =12,995; placebo = 13,026), serious adverse events from Dose 1 up to the participant unblinding date in ongoing follow-up were reported by 103 (0.8%) COMIRNATY recipients and 117 (0.9%) placebo recipients. In a similar analysis, in participants 56 years of age and older (COMIRNATY = 8,931; placebo = 8,895), serious adverse events were reported by 165 (1.8%) COMIRNATY recipients and 151 (1.7%) placebo recipients who received at least 1 dose of COMIRNATY or placebo, respectively. In these analyses, 58.2% of study participants had at least 4 months of follow-up after Dose 2. Among participants with confirmed stable HIV infection serious adverse events from Dose 1 up to the participant unblinding date in ongoing follow-up were reported by 2 (2%) COMIRNATY recipients and 2 (2%) placebo recipients.

In the analysis of blinded, placebo-controlled follow-up, there were no notable patterns between treatment groups for specific categories of serious adverse events (including neurologic, neuro-inflammatory, and thrombotic events) that would suggest a causal relationship to COMIRNATY. In the analysis of unblinded follow-up, there were no notable patterns of specific categories of serious adverse events that would suggest a causal relationship to COMIRNATY.

Adolescents 12 Through 15 Years of Age

In Study 2, 2,260 adolescents (1,131 COMIRNATY; 1,129 placebo) were 12 through 15 years of age. At the time of the analysis of the ongoing Study 2 with a data cutoff of September 2, 2021, there were 1,559 (69.0%) adolescents (786 COMIRNATY and 773 placebo) 12 through 15 years of age followed for ≥4 months after the second dose. The safety evaluation in Study 2 is ongoing.

Demographic characteristics in Study 2 were generally similar with regard to age, gender, race, and ethnicity among adolescents who received COMIRNATY and those who received placebo. Overall, among the adolescents who received COMIRNATY, 50.1% were male and 49.9% were female, 85.8% were White, 4.6% were Black or African American, 11.7% were Hispanic/Latino, 6.4% were Asian, and 0.4% were American Indian/Alaska Native.

Local and Systemic Adverse Reactions Solicited in Study 2

In adolescents 12 through 15 years of age after receiving Dose 2, the mean duration of pain at the injection site was 2.5 days (range 1 to 11 days), for redness 1.8 days (range 1 to 5 days), and for swelling 1.6 days (range 1 to 5 days) in the COMIRNATY group.

Table 5: Study 2 – Frequency and Percentages of Adolescents With Solicited Local Reactions, by Maximum Severity, Within 7 Days After Each Dose – Adolescents 12 Through 15 Years of

Age – Safety Population*

	COMIRNATY Dose 1 Na=1127	Placebo Dose 1 Na=1127	COMIRNATY Dose 2 Na=1097	Placebo Dose 2 Na=1078
	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Redness ^c				
Any (>2 cm)	65 (5.8)	12 (1.1)	55 (5.0)	10 (0.9)
Mild	44 (3.9)	11 (1.0)	29 (2.6)	8 (0.7)
Moderate	20 (1.8)	1 (0.1)	26 (2.4)	2 (0.2)
Severe	1 (0.1)	0 (0.0)	0 (0.0)	0 (0.0)
Swelling ^c				
Any (>2 cm)	78 (6.9)	11 (1.0)	54 (4.9)	6 (0.6)
Mild	55 (4.9)	9 (0.8)	36 (3.3)	4 (0.4)
Moderate	23 (2.0)	2 (0.2)	18 (1.6)	2 (0.2)
Severe	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)
Pain at the injection sit	e^d			
Any	971 (86.2)	263 (23.3)	866 (78.9)	193 (17.9)
Mild	467 (41.4)	227 (20.1)	466 (42.5)	164 (15.2)
Moderate	493 (43.7)	36 (3.2)	393 (35.8)	29 (2.7)
Severe	11 (1.0)	0 (0.0)	7 (0.6)	0 (0.0)

Note: Reactions were collected in the electronic diary (e-diary) from Day 1 to Day 7 after vaccination.

Table 6: Study 2 – Frequency and Percentages of Adolescents with Solicited Systemic Reactions, by Maximum Severity, Within 7 Days After Each Dose – Adolescents 12 Through 15 Years of Age – Safety Population*

	COMIRNATY Dose 1 Na=1127 n ^b (%)	Placebo Dose 1 N ^a =1127 n ^b (%)	COMIRNATY Dose 2 Na=1097 nb (%)	Placebo Dose 2 Na=1078 nb (%)
Fever				
≥38.0°C	114 (10.1)	12 (1.1)	215 (19.6)	7 (0.6)
≥38.0°C to 38.4°C	74 (6.6)	8 (0.7)	107 (9.8)	5 (0.5)
>38.4°C to 38.9°C	29 (2.6)	2 (0.2)	83 (7.6)	1 (0.1)
>38.9°C to 40.0°C	10 (0.9)	2 (0.2)	25 (2.3)	1 (0.1)
>40.0°C	1 (0.1)	0 (0.0)	0 (0.0)	0 (0.0)
Fatigue ^c				
Any	677 (60.1)	457 (40.6)	726 (66.2)	264 (24.5)
Mild	278 (24.7)	250 (22.2)	232 (21.1)	133 (12.3)

^{*} Randomized participants in the safety analysis population who received at least 1 dose of the study intervention.

a. N = Number of participants reporting at least 1 yes or no response for the specified reaction after the specified dose.

b. n = Number of participants with the specified reaction.

c. Mild: >2.0 to ≤ 5.0 cm; Moderate: >5.0 to ≤ 10.0 cm; Severe: >10.0 cm.

d. Mild: does not interfere with activity; Moderate: interferes with activity; Severe: prevents daily activity.

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 49 of 59

	COMIRNATY Dose 1	Placebo Dose 1	COMIRNATY Dose 2	Placebo Dose 2
	$N^a = 1127$	$N^a=1127$	N ^a =1097	$N^a=1078$
	n ^b (%)	n ^b (%)	n ^b (%)	n ^b (%)
Moderate	384 (34.1)	199 (17.7)	468 (42.7)	127 (11.8)
Severe	15 (1.3)	8 (0.7)	26 (2.4)	4 (0.4)
Headache ^c				
Any	623 (55.3)	396 (35.1)	708 (64.5)	264 (24.5)
Mild	361 (32.0)	256 (22.7)	302 (27.5)	170 (15.8)
Moderate	251 (22.3)	131 (11.6)	384 (35.0)	93 (8.6)
Severe	11 (1.0)	9 (0.8)	22 (2.0)	1 (0.1)
Chills ^c				
Any	311 (27.6)	109 (9.7)	455 (41.5)	74 (6.9)
Mild	195 (17.3)	82 (7.3)	221 (20.1)	53 (4.9)
Moderate	111 (9.8)	25 (2.2)	214 (19.5)	21 (1.9)
Severe	5 (0.4)	2 (0.2)	20 (1.8)	0 (0.0)
Vomiting ^d				
Any	31 (2.8)	10 (0.9)	29 (2.6)	12 (1.1)
Mild	30 (2.7)	8 (0.7)	25 (2.3)	11 (1.0)
Moderate	0 (0.0)	2 (0.2)	4 (0.4)	1 (0.1)
Severe	1 (0.1)	0 (0.0)	0 (0.0)	0 (0.0)
Diarrhea ^e				
Any	90 (8.0)	82 (7.3)	65 (5.9)	44 (4.1)
Mild	77 (6.8)	72 (6.4)	59 (5.4)	39 (3.6)
Moderate	13 (1.2)	10 (0.9)	6 (0.5)	5 (0.5)
Severe	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)
New or worsened musc	le pain ^c			
Any	272 (24.1)	148 (13.1)	355 (32.4)	90 (8.3)
Mild	125 (11.1)	88 (7.8)	152 (13.9)	51 (4.7)
Moderate	145 (12.9)	60 (5.3)	197 (18.0)	37 (3.4)
Severe	2 (0.2)	0 (0.0)	6 (0.5)	2 (0.2)
New or worsened joint	pain ^c			
Any	109 (9.7)	77 (6.8)	173 (15.8)	51 (4.7)
Mild	66 (5.9)	50 (4.4)	91 (8.3)	30 (2.8)
Moderate	42 (3.7)	27 (2.4)	78 (7.1)	21 (1.9)
Severe	1 (0.1)	0 (0.0)	4 (0.4)	0 (0.0)
Use of antipyretic or pain medication ^f	413 (36.6)	111 (9.8)	557 (50.8)	95 (8.8)

Note: Events and use of antipyretic or pain medication were collected in the electronic diary (e-diary) from Day 1 to Day 7 after each dose.

^{*} Randomized participants in the safety analysis population who received at least 1 dose of the study intervention.

a. N = Number of participants reporting at least 1 yes or no response for the specified event after the specified dose.

b. n = Number of participants with the specified reaction.

c. Mild: does not interfere with activity; Moderate: some interference with activity; Severe: prevents daily activity.

d. Mild: 1 to 2 times in 24 hours; Moderate: >2 times in 24 hours; Severe: requires intravenous hydration.

e. Mild: 2 to 3 loose stools in 24 hours; Moderate: 4 to 5 loose stools in 24 hours; Severe: 6 or more loose stools in 24 hours.

f. Severity was not collected for use of antipyretic or pain medication.

Unsolicited Adverse Events

In Study 2, 2,260 adolescents (1,131 COMIRNATY; 1,129 placebo) were 12 through 15 years of age. Of these, 634 (56.1%) participants in the COMIRNATY group and 629 (55.7%) participants in the placebo group had follow-up time between \geq 4 months to <6 months after Dose 2 in the blinded placebo-controlled follow-up period with an additional 152 (13.4%) and 144 (12.8%) with \geq 6 months of blinded follow-up time in the COMIRNATY and placebo groups, respectively.

A total of 1,113 (98.4%) participants 12 through 15 years of age originally randomized to COMIRNATY had ≥6 months total (blinded and unblinded) follow-up after Dose 2.

An analysis of all unsolicited adverse events in Study 2 from Dose 1 up to the participant unblinding date was conducted. Among participants 12 through 15 years of age who received at least one dose of study vaccine, unsolicited adverse events were reported by 95 (8.4%) participants in the COMIRNATY group and 113 (10.0%) participants in the placebo group.

In an analysis of all unsolicited adverse events reported during blinded follow-up from Dose 1 through 1 month after Dose 2, in adolescents 12 to 15 years of age, those assessed as adverse reactions not already captured by solicited local and systemic reactions were lymphadenopathy (9 vs. 2), and nausea (5 vs. 2).

In the analysis of blinded, placebo-controlled follow-up, there were no other notable patterns or numerical imbalances between treatment groups for specific categories of unsolicited adverse events (including other neurologic or neuro-inflammatory, and thrombotic events) that would suggest a causal relationship to COMIRNATY. In the analysis of unblinded follow-up, there were no notable patterns of specific categories of non-serious adverse events that would suggest a causal relationship to COMIRNATY.

Serious Adverse Events

In Study 2, among participants 12 through 15 years of age who had received at least 1 dose of vaccine or placebo (COMIRNATY = 1,131; placebo = 1,129), serious adverse events from Dose 1 up to the participant unblinding date in ongoing follow-up were reported by 10 (0.9%) COMIRNATY recipients and 2 (0.2%) placebo recipients. In these analyses, 69.0% of study participants had at least 4 months of follow-up after Dose 2. In the analysis of blinded, placebo-controlled follow-up, there were no notable patterns between treatment groups for specific categories of serious adverse events (including neurologic, neuro-inflammatory, and thrombotic events) that would suggest a causal relationship to COMIRNATY. In the analysis of unblinded follow-up, there were no notable patterns of specific categories of serious adverse events that would suggest a causal relationship to COMIRNATY.

6.2 Postmarketing Experience

The following adverse reactions have been identified during postmarketing use of COMIRNATY, including under Emergency Use Authorization. Because these reactions are reported voluntarily from a population of uncertain size, it is not always possible to reliably estimate their frequency or establish a causal relationship to vaccine exposure.

Cardiac Disorders: myocarditis, pericarditis Gastrointestinal Disorders: diarrhea, vomiting

Immune System Disorders: severe allergic reactions, including anaphylaxis, and other hypersensitivity reactions

(e.g., rash, pruritus, urticaria, angioedema)

Musculoskeletal and Connective Tissue Disorders: pain in extremity (arm)

8 USE IN SPECIFIC POPULATIONS

8.1 Pregnancy

There is a pregnancy exposure registry that monitors pregnancy outcomes in women exposed to COMIRNATY during pregnancy. Women who are vaccinated with COMIRNATY during pregnancy are encouraged to enroll in the registry by visiting https://mothertobaby.org/ongoing-study/covid19-vaccines/.

Risk Summary

All pregnancies have a risk of birth defect, loss, or other adverse outcomes. In the US general population, the estimated background risk of major birth defects and miscarriage in clinically recognized pregnancies is 2% to 4% and 15% to 20%, respectively. Available data on COMIRNATY administered to pregnant women are insufficient to inform vaccine-associated risks in pregnancy.

A developmental toxicity study has been performed in female rats administered the equivalent of a single human dose of COMIRNATY on 4 occasions, twice prior to mating and twice during gestation. These studies revealed no evidence of harm to the fetus due to the vaccine (see Animal Data).

<u>Data</u>

Animal Data

In a developmental toxicity study, 0.06 mL of a vaccine formulation containing the same quantity of nucleoside-modified messenger ribonucleic acid (mRNA) (30 mcg) and other ingredients included in a single human dose of COMIRNATY was administered to female rats by the intramuscular route on 4 occasions: 21 and 14 days prior to mating, and on gestation days 9 and 20. No vaccine-related adverse effects on female fertility, fetal development, or postnatal development were reported in the study.

8.2 Lactation

Risk Summary

It is not known whether COMIRNATY is excreted in human milk. Data are not available to assess the effects of COMIRNATY on the breastfed infant or on milk production/excretion. The developmental and health benefits of breastfeeding should be considered along with the mother's clinical need for COMIRNATY and any potential adverse effects on the breastfed child from COMIRNATY or from the underlying maternal condition. For preventive vaccines, the underlying maternal condition is susceptibility to disease prevented by the vaccine.

8.4 Pediatric Use

Safety and effectiveness of COMIRNATY in individuals 12 through 17 years of age is based on safety and effectiveness data in this age group and in adults [see Adverse Reactions (6) and Clinical Studies (14.1)].

The safety and effectiveness of COMIRNATY in individuals younger than 12 years of age have not been established.

8.5 Geriatric Use

Of the total number of COMIRNATY recipients in Study 2 as of March 13, 2021 (N = 22,026), 20.7% (n = 4,552) were 65 years of age and older and 4.2% (n = 925) were 75 years of age and older [see Clinical Studies (14.1)]. No overall differences in safety or effectiveness were observed between these recipients and younger recipients.

11 DESCRIPTION

COMIRNATY (COVID-19 Vaccine, mRNA) is a sterile suspension for injection for intramuscular use. Each 0.3 mL dose of COMIRNATY contains 30 mcg of a nucleoside-modified messenger RNA (mRNA) encoding the viral spike (S) glycoprotein of SARS-CoV-2.

Each 0.3 mL dose of COMIRNATY supplied in vials with gray caps and labels with gray borders also includes the following ingredients:

lipids (0.43 mg ((4-hydroxybutyl)azanediyl)bis(hexane-6,1-diyl)bis(2-hexyldecanoate),

0.05 mg 2-(polyethylene glycol 2000)-N,N-ditetradecylacetamide,

0.09 mg 1,2-distearoyl-sn-glycero-3-phosphocholine, and 0.19 mg cholesterol), 0.06 mg tromethamine, 0.4 mg tromethamine hydrochloride, and 31 mg sucrose.

COMIRNATY does not contain preservative.

The vial stoppers are not made with natural rubber latex.

12 CLINICAL PHARMACOLOGY

12.1 Mechanism of Action

The nucleoside-modified mRNA in COMIRNATY is formulated in lipid particles, which enable delivery of the mRNA into host cells to allow expression of the SARS-CoV-2 S antigen. The vaccine elicits an immune response to the S antigen, which protects against COVID-19.

13 NONCLINICAL TOXICOLOGY

13.1 Carcinogenesis, Mutagenesis, Impairment of Fertility

COMIRNATY has not been evaluated for the potential to cause carcinogenicity, genotoxicity, or impairment of male fertility. In a developmental toxicity study in rats with COMIRNATY there were no vaccine-related effects on female fertility [see Use in Specific Populations (8.1)].

14 CLINICAL STUDIES

14.1 Efficacy in Participants 16 Years of Age and Older

Study 2 is an ongoing, multicenter, multinational, randomized, placebo-controlled, observer-blind, dose-finding, vaccine candidate—selection, and efficacy study in participants 12 years of age and older. Randomization was stratified by age: 12 through 15 years of age, 16 through 55 years of age, or 56 years of age and older, with a minimum of 40% of participants in the ≥56-year stratum. The study excluded participants who were immunocompromised and those who had previous clinical or microbiological diagnosis of COVID-19. Participants with preexisting stable disease, defined as disease not requiring significant change in therapy or

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 53 of 59

hospitalization for worsening disease during the 6 weeks before enrollment, were included as were participants with known stable infection with HIV, hepatitis C virus (HCV), or hepatitis B virus (HBV).

In Study 2, based on data accrued through March 13, 2021, approximately 44,000 participants 12 years of age and older were randomized equally and received 2 doses of COMIRNATY or placebo. Participants are planned to be followed for up to 24 months, for assessments of safety and efficacy against COVID-19.

Overall, among the total participants who received COMIRNATY or placebo, 51.4% or 50.3% were male and 48.6% or 49.7% were female, 79.1% or 79.2% were 16 through 64 years of age, 20.9% or 20.8% were 65 years of age and older, 81.9% or 82.1% were White, 9.5% or 9.6% were Black or African American, 1.0% or 0.9% were American Indian or Alaska Native, 4.4% or 4.3% were Asian, 0.3% or 0.2% Native Hawaiian or other Pacific Islander, 25.6% or 25.4% were Hispanic/Latino, 73.9% or 74.1% were non-Hispanic/Latino, 0.5% or 0.5% did not report ethnicity, 46.0% or 45.7% had comorbidities [participants who have 1 or more comorbidities that increase the risk of severe COVID-19 disease: defined as subjects who had at least 1 of the Charlson comorbidity index category or body mass index (BMI) ≥30 kg/m²], respectively. The mean age at vaccination was 49.8 or 49.7 years and median age was 51.0 or 51.0 in participants who received COMIRNATY or placebo, respectively.

Efficacy Against COVID-19

The population for the analysis of the protocol pre-specified primary efficacy endpoint included 36,621 participants 12 years of age and older (18,242 in the COMIRNATY group and 18,379 in the placebo group) who did not have evidence of prior infection with SARS-CoV-2 through 7 days after the second dose. The population in the protocol pre-specified primary efficacy analysis included all participants 12 years of age and older who had been enrolled from July 27, 2020, and followed for the development of COVID-19 through November 14, 2020. Participants 18 through 55 years of age and 56 years of age and older began enrollment from July 27, 2020, 16 through 17 years of age began enrollment from September 16, 2020, and 12 through 15 years of age began enrollment from October 15, 2020.

For participants without evidence of SARS-CoV-2 infection prior to 7 days after Dose 2, vaccine efficacy against confirmed COVID-19 occurring at least 7 days after Dose 2 was 95.0% (95% credible interval: 90.3, 97.6), which met the pre-specified success criterion. The case split was 8 COVID-19 cases in the COMIRNATY group compared to 162 COVID-19 cases in the placebo group.

The population for the updated vaccine efficacy analysis included participants 16 years of age and older who had been enrolled from July 27, 2020, and followed for the development of COVID-19 during blinded placebo-controlled follow-up through March 13, 2021, representing up to 6 months of follow-up after Dose 2. There were 12,796 (60.8%) participants in the COMIRNATY group and 12,449 (58.7%) in the placebo group followed for \geq 4 months after Dose 2 in the blinded placebo-controlled follow-up period.

SARS-CoV-2 variants of concern identified from COVID-19 cases for this age group from this data cutoff include B.1.1.7 (Alpha) and B.1.351 (Beta). Representation of identified variants among cases in vaccine versus placebo recipients did not suggest decreased vaccine effectiveness against these variants.

The updated vaccine efficacy information is presented in Table 7.

Table 7: Vaccine Efficacy – First COVID-19 Occurrence From 7 Days After Dose 2, by Age Subgroup – Participants 16 Years of Age and Older Without Evidence of Infection and Participants With or Without Evidence of Infection Prior to 7 Days After Dose 2 – Evaluable Efficacy (7 Days) Population During the Placebo-Controlled Follow-up Period

First COVID-19 oc	currence from 7 days after Dose		vidence of prior
	SARS-CoV-2 inf	ection*	
	COMIRNATY	Placebo	
	Na=19,993	Na=20,118	
	Cases	Cases	
	n1 ^b	n1 ^b	Vaccine Efficacy %
Subgroup	Surveillance Time ^c (n2 ^d)	Surveillance Time ^c (n2 ^d)	(95% CI ^e)
	77	833	91.1
All participants	6.092 (19,711)	5.857 (19,741)	(88.8, 93.1)
	70	709	90.5
16 through 64 years	4.859 (15,519)	4.654 (15,515)	(87.9, 92.7)
	7	124	94.5
65 years and older	1.233 (4192)	1.202 (4226)	(88.3, 97.8)
First COVID-19 occurr	ence from 7 days after Dose 2 in	participants with or withou	ıt* evidence of prior
	SARS-CoV-2 in		•

SARS-CoV-2 infection

	COMIRNATY N ^a =21,047	Placebo Na=21,210	
	Cases n1 ^b	Cases n1 ^b	Vaccine Efficacy %
Subgroup	Surveillance Time ^c (n2 ^d)	Surveillance Time ^c (n2 ^d)	(95% CI ^e)
	81	854	90.9
All participants	6.340 (20,533)	6.110 (20,595)	(88.5, 92.8)
	74	726	90.2
16 through 64 years	5.073 (16,218)	4.879 (16,269)	(87.5, 92.4)
	7	128	94.7
65 years and older	1.267 (4315)	1.232 (4326)	(88.7, 97.9)

Note: Confirmed cases were determined by Reverse Transcription-Polymerase Chain Reaction (RT-PCR) and at least 1 symptom consistent with COVID-19 (symptoms included: fever; new or increased cough; new or increased shortness of breath; chills; new or increased muscle pain; new loss of taste or smell; sore throat; diarrhea; vomiting).

- Participants who had no evidence of past SARS-CoV-2 infection (i.e., N-binding antibody [serum] negative at Visit 1 and SARS-CoV-2 not detected by NAAT [nasal swab] at Visits 1 and 2), and had negative NAAT (nasal swab) at any unscheduled visit prior to 7 days after Dose 2 were included in the analysis.
- a. N = Number of participants in the specified group.
- b. n1 = Number of participants meeting the endpoint definition.
- Total surveillance time in 1000 person-years for the given endpoint across all participants within each group at risk for the endpoint. Time period for COVID-19 case accrual is from 7 days after Dose 2 to the end of the surveillance period.
- d. n2 = Number of participants at risk for the endpoint.
- Two-sided confidence interval (CI) for vaccine efficacy is derived based on the Clopper and Pearson method adjusted to the surveillance time.

Subgroup analyses of vaccine efficacy (although limited by small numbers of cases in some subgroups) did not suggest meaningful differences in efficacy across genders, ethnic groups, geographies, or for participants with obesity or medical comorbidities associated with high risk of severe COVID-19.

Efficacy Against Severe COVID-19

Efficacy analyses of secondary efficacy endpoints supported benefit of COMIRNATY in preventing severe COVID-19. Vaccine efficacy against severe COVID-19 is presented only for participants with or without prior SARS-CoV-2 infection (Table 8) as the COVID-19 case counts in participants without prior SARS-CoV-2 infection were the same as those in participants with or without prior SARS-CoV-2 infection in both the COMIRNATY and placebo groups.

Table 8: Vaccine Efficacy – First Severe COVID-19 Occurrence in Participants 16 Years of Age and Older With or Without* Prior SARS-CoV-2 Infection Based on Protocol† or Centers for Disease Control and Prevention (CDC)‡ Definition From 7 Days After Dose 2 – Evaluable Efficacy (7 Days) Population During the Placebo-Controlled Follow-up

Efficacy (7 Days) I optilation Duting the I facebo-Controlled Follow-up					
Vaccine Efficacy – First Severe COVID-19 Occurrence					
	COMIRNATY	Placebo			
	Cases	Cases			
	n1 ^a	n1 ^a	Vaccine Efficacy %		
	Surveillance Time ^b (n2 ^c)	Surveillance Time ^b (n2 ^c)	(95% CI ^d)		
	1	21	95.3		
7 days after Dose 2 ^d	6.353 (20,540)	6.237 (20,629)	(70.9, 99.9)		
Vaccine Efficacy -	- First Severe COVID-19 O	ccurrence Based on CDC I	Definition		
	COMIRNATY	Placebo			
	Cases	Cases			
	n1 ^a	n1 ^a	Vaccine Efficacy %		
	Surveillance Time ^b (n2 ^c)	Surveillance Time ^b (n2 ^c)	(95% CI ^d)		
	0	31	100		
7 days after Dose 2 ^d	6.345 (20,513)	6.225 (20,593)	(87.6, 100.0)		

Note: Confirmed cases were determined by Reverse Transcription-Polymerase Chain Reaction (RT-PCR) and at least 1 symptom consistent with COVID-19 (symptoms included: fever; new or increased cough; new or increased shortness of breath; chills; new or increased muscle pain; new loss of taste or smell; sore throat; diarrhea; vomiting).

† Severe illness from COVID-19 is defined in the protocol as confirmed COVID-19 and presence of at least 1 of the following:

- Clinical signs at rest indicative of severe systemic illness (respiratory rate ≥30 breaths per minute, heart rate ≥125 beats per minute, saturation of oxygen ≤93% on room air at sea level, or ratio of arterial oxygen partial pressure to fractional inspired oxygen <300 mm Hg);
- Respiratory failure [defined as needing high-flow oxygen, noninvasive ventilation, mechanical ventilation or extracorporeal membrane oxygenation (ECMO)];
- Evidence of shock (systolic blood pressure <90 mm Hg, diastolic blood pressure <60 mm Hg, or requiring vasopressors);
- Significant acute renal, hepatic, or neurologic dysfunction;
- Admission to an Intensive Care Unit;
- Death.
- *Severe illness from COVID-19 as defined by CDC is confirmed COVID-19 and presence of at least 1 of the following:
 - Hospitalization;
 - Admission to the Intensive Care Unit;
 - Intubation or mechanical ventilation;
 - Death.
- a. n1 = Number of participants meeting the endpoint definition.
- b. Total surveillance time in 1000 person-years for the given endpoint across all participants within each group at risk for the endpoint. Time period for COVID-19 case accrual is from 7 days after Dose 2 to the end of the surveillance period.
- c. n2 = Number of participants at risk for the endpoint.
- d. Two-side confidence interval (CI) for vaccine efficacy is derived based on the Clopper and Pearson method adjusted to the surveillance time.

14.2 Efficacy in Adolescents 12 Through 15 Years of Age

A descriptive efficacy analysis of Study 2 has been performed in 2,260 adolescents 12 through 15 years of age evaluating confirmed COVID-19 cases accrued up to a data cutoff date of September 2, 2021.

^{*} Participants who had no evidence of past SARS-CoV-2 infection (i.e., N-binding antibody [serum] negative at Visit 1 and SARS-CoV-2 not detected by NAAT [nasal swab] at Visits 1 and 2), and had negative NAAT (nasal swab) at any unscheduled visit prior to 7 days after Dose 2 were included in the analysis.

The vaccine efficacy information in adolescents 12 through 15 years of age is presented in Table 9.

Table 9: Vaccine Efficacy – First COVID-19 Occurrence From 7 Days After Dose 2: Without Evidence of Infection and With or Without Evidence of Infection Prior to 7 Days After Dose 2 – Blinded Placebo-Controlled Follow-up Period, Adolescents 12 Through 15 Years of Age Evaluable Efficacy (7 Days) Population

First COVID-19 occurrence from 7 days after Dose 2 in adolescents 12 through 15 years of age without							
evidence of prior SARS-CoV-2 infection*							
	COMIRNATY	Placebo					
	N ^a =1057	$N^a = 1030$					
	Cases	Cases					
	n1 ^b	n1 ^b	Vaccine Efficacy %				
	Surveillance Time ^c (n2 ^d)	Surveillance Time ^c (n2 ^d)	(95% CI ^e)				
Adolescents	0	28	100.0				
12 through 15 years of age	0.343 (1043)	0.322 (1019)	(86.8, 100.0)				
First COVID-19 occurrence from 7 days after Dose 2 in adolescents 12 through 15 years of age with or							
without evidence of prior SARS-CoV-2 infection							
	COMIRNATY	Placebo					
	N ^a =1119	$N^a=1109$					
	Cases	Cases					
	n1 ^b	n1 ^b	Vaccine Efficacy %				
	Surveillance Time ^c (n2 ^d)	Surveillance Time ^c (n2 ^d)	(95% CI ^e)				
Adolescents	0	30^{f}	100.0				
12 through 15 years of age	0.362 (1098)	0.345 (1088)	(87.5, 100.0)				

Note: Confirmed cases were determined by Reverse Transcription-Polymerase Chain Reaction (RT-PCR) and at least 1 symptom consistent with COVID-19 (symptoms included: fever; new or increased cough; new or increased shortness of breath; chills; new or increased muscle pain; new loss of taste or smell; sore throat; diarrhea; vomiting).

- * Participants who had no evidence of past SARS-CoV-2 infection (i.e., N-binding antibody [serum] negative at Visit 1 and SARS-CoV-2 not detected by NAAT [nasal swab] at Visits 1 and 2), and had negative NAAT (nasal swab) at any unscheduled visit prior to 7 days after Dose 2 were included in the analysis.
- a. N = Number of participants in the specified group.
- b. n1 = Number of participants meeting the endpoint definition.
- c. Total surveillance time in 1000 person-years for the given endpoint across all participants within each group at risk for the endpoint. Time period for COVID-19 case accrual is from 7 days after Dose 2 to the end of the surveillance period.
- d. n2 = Number of participants at risk for the endpoint.
- e. Two-side confidence interval (CI) for vaccine efficacy is derived based on the Clopper and Pearson method adjusted for surveillance time.
- f. The only SARS-CoV-2 variant of concern identified from COVID-19 cases in this age group from this data cutoff was B.1.1.7 (Alpha).

14.3 Immunogenicity in Adolescents 12 Through 15 Years of Age

In Study 2, an analysis of SARS-CoV-2 50% neutralizing titers (NT50) 1 month after Dose 2 in a randomly selected subset of participants demonstrated non-inferior immune responses (within 1.5-fold) comparing adolescents 12 through 15 years of age to participants 16 through 25 years of age who had no serological or virological evidence of past SARS-CoV-2 infection up to 1 month after Dose 2 (Table 10).

Table 10: Summary of Geometric Mean Ratio for 50% Neutralizing Titer – Comparison of Adolescents 12 Through 15 Years of Age to Participants 16 Through 25 Years of Age (Immunogenicity Subset) – Participants Without Evidence of Infection up to 1 Month After Dose 2 – Dose 2 Evaluable Immunogenicity Population

	COMIRNATY				
		12 Through 15 Years	16 Through 25 Years	12 Through 15 Years/	
		n ^a =190	$n^a=170$	16 Through 25 Years	
					Met
					Noninferiority
	Time	GMT ^c	GMT ^c	GMR ^d	Objective ^e
Assay	Point ^b	(95% CI°)	(95% CI°)	(95% CI ^d)	(Y/N)
SARS-CoV-2					
neutralization	1 month				
assay - NT50	after	1253.6	708.1	1.77	
(titer) ^f	Dose 2	(1117.7, 1406.1)	(625.9, 801.1)	(1.50, 2.09)	Y

Abbreviations: CI = confidence interval; GMR = geometric mean ratio; GMT = geometric mean titer; LLOQ = lower limit of quantitation; NAAT = nucleic-acid amplification test; NT50 = 50% neutralizing titer; SARS-CoV-2 = severe acute respiratory syndrome coronavirus 2.

Note: Participants who had no serological or virological evidence (up to 1 month after receipt of the last dose) of past SARS-CoV-2 infection (i.e., N-binding antibody [serum] negative at Visit 1 and SARS-CoV-2 not detected by NAAT [nasal swab] at Visits 1 and 2), and had negative NAAT (nasal swab) at any unscheduled visit up to 1 month after Dose 2 were included in the analysis.

- a. n = Number of participants with valid and determinate assay results for the specified assay at the given dose/sampling time point.
- b. Protocol-specified timing for blood sample collection.
- c. GMTs and 2-sided 95% CIs were calculated by exponentiating the mean logarithm of the titers and the corresponding CIs (based on the Student t distribution). Assay results below the LLOQ were set to 0.5 × LLOQ.
- d. GMRs and 2-sided 95% CIs were calculated by exponentiating the mean difference of the logarithms of the titers (Group 1 [12 through 15 years of age] Group 2 [16 through 25 years of age]) and the corresponding CI (based on the Student t distribution).
- e. Noninferiority is declared if the lower bound of the 2-sided 95% CI for the GMR is greater than 0.67.
- f. SARS-CoV-2 NT50 were determined using the SARS-CoV-2 mNeonGreen Virus Microneutralization Assay. The assay uses a fluorescent reporter virus derived from the USA_WA1/2020 strain and virus neutralization is read on Vero cell monolayers. The sample NT50 is defined as the reciprocal serum dilution at which 50% of the virus is neutralized.

16 HOW SUPPLIED/STORAGE AND HANDLING

Single Dose Vials: COMIRNATY is a suspension for intramuscular injection. Single dose vials with gray caps and labels with gray borders are supplied in a carton containing 10 single dose vials. One vial contains 1 dose of 0.3 mL.

• Carton of 10 single dose vials: NDC 0069-3125-10

• Single dose vial: NDC 0069-3125-01

Multiple Dose Vials: COMIRNATY is a suspension for intramuscular injection. Multiple dose vials with gray caps and labels with gray borders are supplied in a carton containing 10 multiple dose vials or 25 multiple dose vials. One vial contains 6 doses of 0.3 mL.

- Carton of 10 multiple dose vials: NDC 0069-2025-10
- Carton of 25 multiple dose vials: NDC 0069-2025-25
- Multiple dose vial: NDC 0069-2025-01

During storage, minimize exposure to room light, and avoid exposure to direct sunlight and ultraviolet light.

Do not refreeze thawed vials.

Vial Storage Prior to Use

Cartons of COMIRNATY single dose vials and multiple dose vials with gray caps and labels with gray borders will arrive frozen at ultra-cold conditions in thermal containers with dry ice.

Once received, frozen vials may be immediately transferred to the refrigerator [2°C to 8°C (35°F to 46°F)], thawed and stored for up to 10 weeks. The 10-week refrigerated expiry date should be recorded on the carton at the time of transfer. A carton of 10 single dose vials may take up to 2 hours to thaw at this temperature. A carton of 10 multiple dose vials may take up to 6 hours to thaw at this temperature.

Alternatively, frozen vials may be stored in an ultra-low temperature freezer at -90°C to -60°C (-130°F to -76°F). Do not store vials at -25°C to -15°C (-13°F to 5°F). Once vials are thawed, they should not be refrozen.

If cartons of COMIRNATY single dose vials or multiple dose vials with gray caps and labels with gray borders are received at 2°C to 8°C, they should be stored at 2°C to 8°C. Check that the carton has been updated to reflect the 10-week refrigerated expiry date.

Regardless of storage condition, the vaccine should not be used after the expiration date printed on the vial and cartons.

Vial Storage During Use

If not previously thawed at 2°C to 8°C (35°F to 46°F), allow COMIRNATY single dose vials and multiple dose vials to thaw at room temperature [up to 25°C (77°F)] for 30 minutes.

DO NOT DILUTE SINGLE DOSE VIALS OR MULTIPLE DOSE VIALS PRIOR TO USE.

COMIRNATY single dose vials and multiple dose vials with gray caps and labels with gray borders may be stored at room temperature [8°C to 25°C (46°F to 77°F)] for a total of 12 hours prior to the first puncture. After first puncture, multiple dose vials should be held between 2°C to 25°C (35°F to 77°F). Multiple dose vials should be discarded 12 hours after first puncture.

Transportation of Vials

If local redistribution is needed, single dose vials and multiple dose vials may be transported at -90°C to -60°C (-130°F to -76°F), or at 2°C to 8°C (35°F to 46°F).

17 PATIENT COUNSELING INFORMATION

Inform vaccine recipient of the potential benefits and risks of vaccination with COMIRNATY.

Inform vaccine recipient of the importance of completing the 2 dose vaccination series.

There is a pregnancy exposure registry for COMIRNATY. Encourage individuals exposed to COMIRNATY around the time of conception or during pregnancy to register by visiting https://mothertobaby.org/ongoing-study/covid19-vaccines/.

Advise vaccine recipient to report any adverse events to their healthcare provider or to the Vaccine Adverse Event Reporting System at 1-800-822-7967 and www.vaers.hhs.gov.

Case 3:21-cv-01211-AW-HTC Document 129-14 Filed 11/29/22 Page 59 of 59

Prior to administering the vaccine, give the vaccine recipient the Vaccine Information Fact Sheet for Recipients and Caregivers about COMIRNATY (COVID-19 Vaccine, mRNA) and the Pfizer-BioNTech COVID-19 Vaccine to Prevent Coronavirus Disease 2019 (COVID-19) for Use in Individuals 12 Years of Age and Older. The Vaccine Information Fact Sheet for Recipients and Caregivers is available at www.cvdvaccine-us.com.

This product's labeling may have been updated. For the most recent prescribing information, please visit https://dailymed.nlm.nih.gov/dailymed/.

Manufactured for BioNTech Manufacturing GmbH An der Goldgrube 12 55131 Mainz, Germany



LAB-1490-2.4c

US Govt. License No. 2229