

DUSA PHARMACEUTICALS INC  
Form 8-K  
June 04, 2010

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, DC 20549  
FORM 8-K  
CURRENT REPORT**  
**Pursuant to Section 13 or 15(d) of  
the Securities Exchange Act of 1934**  
**Date of Report (Date of earliest event reported): June 4, 2010**  
**DUSA PHARMACEUTICALS, INC.**  
*(Exact name of registrant as specified in its charter)*

**New Jersey**  
*(State or other  
jurisdiction of  
incorporation)*

**001-31533**  
*(Commission File  
Number)*

**22-3103129**  
*(IRS Employer  
Identification  
Number)*

**25 Upton Drive**  
**Wilmington, Massachusetts 01887**  
*(Address of principal executive offices, including ZIP code)*

**(978) 657-7500**

*(Registrant's telephone number, including area code)*

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Securities Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 8.01 Other Events**

As previously reported in our Form 10-Q for the quarter ended March 31, 2010, we had been advised that a receiver had been appointed for the laboratory that we were using to perform analytical release and stability testing of our Levulan® Kerastick® product. As a result, that laboratory was no longer able to perform these services on an on-going basis. On May 5, 2010, following discussions with the FDA, we filed a 30-day Changes Being Effected (CBE-30) supplement to validate the use of a new analytical laboratory for product release and stability testing. The 30-day review period has now passed and we may ship product which has been tested and released by our new laboratory services provider. We have not experienced any interruption in supply of our product.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

DUSA PHARMACEUTICALS, INC.

Dated: June 4, 2010

By: /s/ Robert F. Doman  
Robert F. Doman, President and  
Chief Executive Officer