



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration  
Rockville, MD 20857

NDA 20-717/S-005; S-008

Cephalon, Inc.  
Attention: Paul Kirsch  
Senior Director, Regulatory Affairs  
145 Brandywine Parkway  
West Chester, PA 19380

Dear Mr. Kirsh:

Please refer to your supplemental new drug applications, (S-005 dated August 22, 2001, received August 23, 2001; S-008 dated and received on December 20, 2002), submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act for Provigil<sup>®</sup> (modafinil) Tablets, 100 mg and 200 mg.

We acknowledge receipt of your additional submissions dated:

February 26, 2003  
May 14, 2003

March 11, 2003  
July 28, 2003

April 18, 2003  
September 11, 2003

Your submission of November 21, 2003, constituted a complete response to our October 20, 2003 action letter.

Supplemental new drug application S-005 provides changes to the package insert to clarify previously described data and to provide data received from post-marketing studies. The following sections are involved: CLINICAL PHARMACOLOGY, CLINICAL TRIALS, PRECAUTIONS, ADVERSE REACTIONS, OVERDOSAGE AND HOW SUPPLIED.

Supplemental new drug application S-008 provides the use of Provigil (modafinil) Tablets to improve wakefulness in two new patient populations with excessive sleepiness: those with obstructive sleep apnea/hypopnea syndrome and those with shift work sleep disorder.

We have completed our review of these applications, as amended. These applications are approved, effective on the date of this letter, for use as recommended in the agreed-upon labeling text. The final printed labeling (FPL) must be identical to the enclosed labeling (text for the package insert and the patient package insert).

Please submit the FPL electronically according to the guidance for industry titled *Providing Regulatory Submissions in Electronic Format – NDA*. Alternatively, you may submit 20 paper copies of the FPL as soon as it is available, in no case more than 30 days after it is printed. Please individually mount 15 of the copies on heavy-weight paper or similar material. For

administrative purposes, this submission should be designated “FPL for approved supplements NDA 20-717/S-005 and S-008.” Approval of this submission by FDA is not required before the labeling is used.

### **Pediatric Post Marketing Commitment**

All applications for new active ingredients, new dosage forms, new indications, new routes of administration, and new dosing regimens are required to contain an assessment of the safety and effectiveness of the product in pediatric patients unless this requirement is waived or deferred.

For this application, the patient study requirements are listed below by indication:

- **Shift Work Sleep Disorder**

We are waiving the pediatric study requirement for the treatment of excessive sleepiness (ES) associated with shift work sleep disorder.

- **Obstruction Sleep Apnea/Hypopnea Syndrome (OSAHS)**

We are waiving the pediatric study requirement for the treatment of ES associated with OSAHS in pediatric patients less than 3 years of age.

We are deferring the pediatric study requirement for the treatment of ES associated with OSAHS in pediatric patients, ages 3 years and older, who continue with ES despite receiving standard treatment(s) for the underlying obstruction.

Your deferred pediatric studies required under section 2 of the Pediatric Research Equity Act (PREA) are considered required postmarketing study commitments. The status of these postmarketing studies shall be reported annually according to 21 CFR 314.81. These commitment(s) are listed below.

1. Deferred pediatric study under PREA for the treatment of ES associated with OSAHS in pediatric patients, ages 3 years and older, who continue with ES despite receiving standard treatment(s) for the underlying obstruction.

Final Report Submission: February 2009

Submit final study reports to this NDA. For administrative purposes, all submissions related to this pediatric postmarketing study commitment(s) must be clearly designated “Required Pediatric Study Commitments”.

### **Promotional Materials**

In addition, submit three copies of the introductory promotional materials that you propose to use for this product. Submit all proposed materials in draft or mock-up form, not final print. Send one copy to this division, Division of Neuropharmacological Drug Products, and two copies of both the promotional materials and the package insert s directly to:

Division of Drug Marketing, Advertising, and Communications, HFD-42  
Food and Drug Administration  
5600 Fishers Lane  
Rockville, MD 20857

**“Dear Health Care Professional” Letters**

If you issue a letter communicating important information about this drug product (i.e., a “Dear Health Care Professional” letter), we request that you submit a copy of the letter to this NDA and a copy to the following address:

MEDWATCH, HFD-410  
FDA  
5600 Fishers Lane  
Rockville, MD 20857

We remind you that you must comply with reporting requirements for an approved NDA (21 CFR 314.80 and 314.81).

If you have any questions, call Merrill J. Mille, Consumer Safety Officer, at (301) 594-5528.

Sincerely,

*{See appended electronic signature page}*

Russell G. Katz, M.D.  
Director  
Division of Neuropharmacological Drug Products  
Office of Drug Evaluation I  
Center for Drug Evaluation and Research

Enclosure

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**This is a representation of an electronic record that was signed electronically and  
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/s/

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Russell Katz

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