



NDA 020717/S-037 and 038

**SUPPLEMENT APPROVAL**

Cephalon, Inc.  
Attention: Adam Uchimoto  
Associate, Regulatory Affairs  
41 Moores Road  
Box 4011  
Frazer, PA 19355

Dear Mr. Uchimoto:

Please refer to your Supplemental New Drug Applications (sNDAs): Supplement 37 was dated June 11, 2010, received June 14, 2010, and Supplement 38 was dated June 30, 2011, received July 1, 2011, submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (FDCA) for Provigil (modafinil) Tablets.

We acknowledge receipt of your amendment for Supplement 37 dated February 17, 2011.

Supplement 37 is a "Prior Approval" supplemental new drug application that provides for revisions to the Nursing Mothers, Adverse Drug Reactions, and Overdose sections of the labeling.

Supplement 38 is a "Prior Approval" supplemental new drug application that provides for compliance with the final rule, "Requirements on Content and Format of Labeling for Human Prescription Drug and Biological Products" that was published January 24, 2006 (21 CFR parts 201, 314, and 601).

**APPROVAL & LABELING**

We have completed our review of these supplemental applications, as amended, and they are approved, effective on the date of this letter, for use as recommended in the enclosed, agreed-upon labeling text.

**CONTENT OF LABELING**

As soon as possible, but no later than 14 days from the date of this letter, submit the content of labeling [21 CFR 314.50(l)] in structured product labeling (SPL) format using the FDA automated drug registration and listing system (eLIST), as described at <http://www.fda.gov/ForIndustry/DataStandards/StructuredProductLabeling/default.htm>. Content of labeling must be identical to the enclosed labeling (text for the package insert and Medication Guide), with the addition of any labeling changes in pending "Changes Being Effected" (CBE) supplements, as well as annual reportable changes not included in the enclosed labeling.

Information on submitting SPL files using eList may be found in the guidance for industry titled “SPL Standard for Content of Labeling Technical Qs and As at <http://www.fda.gov/downloads/DrugsGuidanceComplianceRegulatoryInformation/Guidances/UCM072392.pdf>

The SPL will be accessible from publicly available labeling repositories.

Also within 14 days, amend all pending supplemental applications that includes labeling changes for this NDA, including CBE supplements for which FDA has not yet issued an action letter, with the content of labeling [21 CFR 314.50(l)(1)(i)] in MS Word format, that includes the changes approved in this supplemental application, as well as annual reportable changes and annotate each change. To facilitate review of your submission, provide a highlighted or marked-up copy that shows all changes, as well as a clean Microsoft Word version. The marked-up copy should provide appropriate annotations, including supplement number(s) and annual report date(s).

### **PROMOTIONAL MATERIALS**

You may request advisory comments on proposed introductory advertising and promotional labeling. To do so, submit the following, in triplicate, (1) a cover letter requesting advisory comments, (2) the proposed materials in draft or mock-up form with annotated references, and (3) the package insert(s) to:

Food and Drug Administration  
Center for Drug Evaluation and Research  
Office of Prescription Drug Promotion (OPDP)  
5901-B Ammendale Road  
Beltsville, MD 20705-1266

You must submit final promotional materials and package insert(s), accompanied by a Form FDA 2253, at the time of initial dissemination or publication [21 CFR 314.81(b)(3)(i)]. Form FDA 2253 is available at

<http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM083570.pdf>.

Information and Instructions for completing the form can be found at

<http://www.fda.gov/downloads/AboutFDA/ReportsManualsForms/Forms/UCM375154.pdf>. For

more information about submission of promotional materials to the Office of Prescription Drug Promotion (OPDP), see <http://www.fda.gov/AboutFDA/CentersOffices/CDER/ucm090142.htm>.

### **REPORTING REQUIREMENTS**

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 Susan Daugherty, Regulatory Project Manager, at (301) 796-0878.

Sincerely,

*{See appended electronic signature page}*

Eric Bastings, MD  
Deputy Director  
Division of Neurology Products  
Office of Drug Evaluation I  
Center for Drug Evaluation and Research

ENCLOSURE(S):

Content of Labeling

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**This is a representation of an electronic record that was signed electronically and this page is the manifestation of the electronic signature.**  
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/s/  
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ERIC P BASTINGS  
01/15/2015