DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville, MD 20857

NDA 21-412

Biovail Laboratories International SRL
c/o John Dubeck, Esq.
Keller and Heckman Law Offices
1001 G Street, NW, Suite 500 W
Washington, DC 20001

Dear Mr. Dubeck:

Please refer to your new drug application (NDA) dated and received December 31, 2001, pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act for TOVALT ODT (zolpidem tartrate) Orally Disintegrating Tablets, 5 and 10 mg.

We acknowledge receipt of your submissions dated December 22, 2006, and February 20, 2007. The February 20, 2007 submission constituted a complete response to our January 5, 2007 action letter.

This new drug application provides for the use of TOVALT ODT (zolpidem tartrate) Orally Disintegrating Tablets for the short-term treatment of insomnia.

We have completed our review of this application, as amended. It is approved, effective on the date of this letter, for use as recommended in the enclosed, agreed-upon labeling text.

Labeling

The final printed labeling (FPL) must be identical to the enclosed labeling (text for the package insert, text for the patient package insert) and the submitted labeling (immediate container and carton labels submitted on December 22, 2006 and April 18, 2007). Marketing the product with FPL that is not identical to the approved labeling text may render the product misbranded and an unapproved new drug.

Please submit an electronic version of the FPL 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 but no more than 30 days after it is printed. Individually mount 15 of the copies on heavy-weight paper or similar material. For administrative purposes, designate this submission "**FPL for approved NDA 21-412**". Approval of this submission by FDA is not required before the labeling is used.

Pediatric Research Equity Act (PREA)

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. We are waiving the pediatric study requirement for this application.

Postmarketing Study Commitments (Outstanding)

We remind you of your remaining postmarketing study commitments acknowledged in our May 26, 2005 letter, which are still open.

Commitment #1

Description:	Optimize the dissolution method and specifications using 50 rpm paddle speed and a different dissolution medium (e.g., pH 5.8 buffer).
Final Study Report:	The final study report should be submitted to the Agency within one year from the date of approval for the final selection of the dissolution specification.

Commitment #2

Description:	Generate data on biobatches and the next 3 production batches for both 5 and 10 mg strengths using the selected more optimized dissolution method.
Final Study Report:	The final study report should be submitted to the Agency within one year from the date of approval for the final selection of the dissolution specification.

Commitment #4

Description:	Prior to commercial drug product manufacturing you must provide a copy of the commercial Batch Record.
Final Study Report:	A copy of the Batch Record should be submitted to the Agency within two years of approval.

As per our September 21, 2006 letter, we acknowledge that **Commitments # 3** (regarding photostability testing samples) **and #5** (regarding retained drug release samples) have been fulfilled.

Submit nonclinical and chemistry, manufacturing, and controls protocols and all study final reports to this NDA. In addition, under 21 CFR 314.81(b)(2)(vii) and 314.81(b)(2)(viii), you should include a status summary of each commitment in your annual report to this NDA. The status summary should include expected summary completion and final report submission dates and any changes in plans since the last annual report. All submissions, including supplements, relating to these postmarketing study commitments must be prominently labeled "Postmarketing Study Commitment Protocol", "Postmarketing Study Commitment Final Report", or "Postmarketing Study Commitment Correspondence."

Medication Guide

We note that, in our April 9, 2007 electronic communication to you, we requested that you submit a Medication Guide proposal for TOVALT ODT by July 7, 2007. However, we have reconsidered our request and now believe it would be more efficient for you to adopt verbatim the Medication Guide for the referenced listed product (Ambien®) once it has been agreed upon by the Agency.

In addition, we request that you submit proposed container and/or carton labels for TOVALT ODT that include a prominent and conspicuous instruction to provide the Medication Guide to each patient dispensed the drug. The labels must state how the Medication Guide is provided (e.g., affixed on the container, provided with the product, etc.).

Promotional Materials

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 the Division of Neurology Products and two copies of both the promotional materials and the package insert directly to:

Food and Drug Administration
Center for Drug Evaluation and Research
Division of Drug Marketing, Advertising, and Communications
5901-B Ammendale Road
Beltsville, MD 20705-1266

Postmarketing Reporting

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 Cathleen Michaloski, BSN, MPH, Regulatory Project Manager, at (301) 796-1123.

Sincerely,

{See appended electronic signature page}

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

Enclosure: Package Insert/Patient Package Insert

This is a representation of an electronic record that was signed electronically and this page is the manifestation of the electronic signature.

/s/

Russell Katz

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