**DEPARTMENT OF HEALTH & HUMAN SERVICES**

Public Health Service

Food and Drug Administration
Rockville, MD 20857

NDA 21-671/S-002

Skye Pharma Inc.
10450 Science Center Drive
San Diego, CA 92121

Attention: Steven Jensen
Director, Regulatory Affairs

Dear Dr. Jensen:

Please refer to your supplemental new drug application dated July 21, 2004, received July 22, 2004, submitted pursuant to section 505(b)(2) of the Federal Food, Drug, and Cosmetic Act for DepoDur (morphine sulfate extended-release liposome injection).

We acknowledge receipt of your submission dated July 22, 2004.

This supplemental new drug application provided for revisions to the package insert to strengthen the language of product usage in DOSAGE AND ADMINISTRATION section and in the SAFETY AND HANDLING INSTRUCTIONS section. In addition, the color scheme for the immediate containers and cartons were changed to make the product consistent with the look of other products marketed by Endo Pharmaceuticals.

We have completed our review of this application, as amended, and it is approved effective on the date of this letter.

The final printed labeling (FPL) must be identical to the submitted labeling (package insert submitted July 22, 2004, pharmacy stickers submitted July 21, 2004, immediate container and carton labels submitted July 21, 2004).

Please submit the FPL electronically according to the guidances for industry titled *Providing Regulatory Submissions in Electronic Format – NDA* and *Providing Regulatory Submissions in Electronic Format – Content of Labeling*. Alternatively, except for the content of labeling, which must be submitted electronically in PDF format, 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, this submission should be designated "FPL for approved supplement NDA 21-671/S-002." Approval of this submission by FDA is not required before the labeling is used.

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 Sara Stradley, Regulatory Project Manager, at (301) 827-7430.

Sincerely,

*{See appended electronic signature page}*

Bob Rappaport, M.D.
Director
Division of Anesthetic, Critical Care,
and Addiction Drug Products
Office of Drug Evaluation II
Center for Drug Evaluation and Research

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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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Bob Rappaport
8/11/04 11:24:00 AM