NDA 022202

NOTIFICATION OF
NON-COMPLIANCE WITH PREA

Assertio Therapeutics, Inc.
100 S. Saunders Road, Suite 300
Lake Forest, IL 60045

Attention: Gregg A. Pratt, PhD
Vice President, Regulatory Affairs

Dear Dr. Pratt:

Please refer to your New Drug Application (NDA) submitted under section 505(b) of the Federal Food, Drug, and Cosmetic Act (the Act) for Zipsor (diclofenac potassium) liquid-filled capsules, which was approved on June 16, 2009.

The Agency has determined that you have failed to meet the postmarketing requirement (PMR) of the Pediatric Research Equity Act (PREA) for this application because you have not yet submitted your pediatric assessment for PMR 1053-3, which was deferred until September 30, 2019. Therefore, we are hereby notifying you that due to your failure to submit either a pediatric assessment or a request for a deferral extension, you are not in compliance with federal law.

Under the provisions of section 505B(d)(1) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) [21 U.S.C. 355c(d)(1)], you must respond in writing within 45 calendar days of the date of this letter. Your response should include the reason(s) for the delayed pediatric assessment and a date by which you expect to submit the assessment. You may also include a request for a deferral extension, if applicable, which should be identified as a "**DEFERRAL EXTENSION REQUESTED**" in your response.

In accordance with the FD&C Act, FDA will post this letter and your response to the website at http://www.fda.gov/Drugs/DevelopmentApprovalProcess/DevelopmentResources/ucm343203.htm with redactions for any trade secrets and confidential commercial information 60 calendar days from the date of this letter.

Please identify your response to this letter as a "**RESPONSE TO PREA NON-COMPLIANCE LETTER.**" To facilitate our review, submit this information to your NDA with a cross-reference letter to the Investigational New Drug Application (IND) to which your protocol has been submitted.

If you have any questions, call LCDR Mavis Y. Darkwah, PharmD, RAC-US, Regulatory Project Manager, at (240) 402-3158.

Sincerely,

{See appended electronic signature page}

Sharon Hertz, MD
Director
Division of Anesthesia, Analgesia,
and Addiction Products
Office of Drug Evaluation II
Center for Drug Evaluation and Research

This is a representation of an electronic record that was signed electronically. Following this are manifestations of any and all electronic signatures for this electronic record.

/s/

SHARON H HERTZ
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