



P970031

Ms. Kathleen T. Boehm
Senior Product Regulation Manager
Medtronic Heart Valves
18011 South Mitchell
Irvine, California 92714

NOV 26 1997

Re: P970031
Medtronic FREESTYLE® Aortic Root Bioprosthesis, Model 995
Filed: July 14, 1997
Amended: September 11 and 12, 1997

Dear Ms. Boehm:

The Center for Devices and Radiological Health (CDRH) of the Food and Drug Administration (FDA) has completed its review of your premarket approval application (PMA) for the Medtronic FREESTYLE® Aortic Root Bioprosthesis, Model 995; sizes 19, 21, 23, 25, 27 mm; implantation techniques, subcoronary, full-root, and root inclusion; and the FREESTYLE® Aortic Obturators, Model 7990 and the Medtronic Handle, Model 0791. This device is a replacement heart valve and is indicated for the replacement of malfunctioning native or prosthetic aortic valves with the option of aortic root replacement. We are pleased to inform you that the PMA is approved subject to the conditions described below and in the "Conditions of Approval" (enclosed). You may begin commercial distribution of the device upon receipt of this letter.

The sale, distribution, and use of this device are restricted to prescription use in accordance with 21 CFR 801.109 within the meaning of section 520(e) of the Federal Food, Drug, and Cosmetic Act (the act) under the authority of section 515(d)(1)(B)(ii) of the act. FDA has also determined that to ensure the safe and effective use of the device that the device is further restricted within the meaning of section 520(e) under the authority of section 515(d)(1)(B)(ii), (1) insofar as the labeling specify the requirements that apply to the training of practitioners who may use the device as approved in this order and (2) insofar as the sale, distribution, and use must not violate sections 502(q) and (r) of the act.

In addition to the postapproval requirements in the enclosure, you must conduct the following postapproval studies:

1. Since long-term data for your device is not available, you must conduct a clinical study evaluating a cohort of your IDE study that is composed of at least 400 patients from 7 investigational centers. The study may be completed when 100 patients (adequately

representing each implantation technique) have attained their 10 year evaluation. The study should be designed to aggressively follow all patients, and assurance should be provided that patients lost-to-follow-up did not introduce significant bias. Complete results of your ongoing study should be reported in your annual reports. All patients should be monitored for safety and effectiveness outcomes according to the protocol of your IDE study, or according to an alternative protocol. Your protocol should be submitted as a supplement for FDA review and approval within 45 days from the date of this letter. The results of your long-term study must be reflected in your labeling when the postapproval study is completed.

2. You must conduct a post-approval study that monitors the new implants in the U.S. patient population for valve-related events causing death, re-operation, or explant. A system must be established that, when these adverse events are identified, any autopsy, operative, pathology, or clinical reports indicating the cause of the adverse event will be obtained. Further information from your patient tracking database and other records should be provided to justify the denominator for any adverse event rate calculations. The study should be designed to identify the major failure modes of your device and establish their frequency, with particular attention to determining the likelihood and event rate of calcification. Complete results of your ongoing study should be reported in your annual reports. The results of your long-term study must be reflected in your labeling when the postapproval study is completed. Your protocol should be submitted as a supplement for FDA review and approval within 45 days from the date of this letter.
3. To characterize valve performance as a function of chamber compliance and provide added assurance of safety in younger patients, you should conduct complete hydrodynamic testing to fully characterize the performance of your device in 16 percent compliance chambers. This testing should be conducted according to the 1994 Heart Valve Guidance, or to an alternative protocol acceptable to FDA that should be submitted within 45 days from the date of this letter.

Expiration dating for this device has been established and approved at 3 years. This is to advise you that the protocol you used to establish this expiration dating is considered an approved protocol for the purpose of extending the expiration dating as provided by 21 CFR 814.39(a)(8).]

CDRH will publish a notice of its decision to approve your PMA in the FEDERAL REGISTER. The notice will state that a summary of the safety and effectiveness data upon which the approval is based is available to the public upon request. Within 30 days of publication of the notice of approval in the FEDERAL REGISTER, any interested person may seek review of this decision by requesting an opportunity for administrative review, either through a hearing or review by an independent advisory committee, under section 515(g) of the act.

Failure to comply with the conditions of approval invalidates this approval order. Commercial distribution of a device that is not in compliance with these conditions is a violation of the act.

You are reminded that, as soon as possible and before commercial distribution of your device, you must submit an amendment to this PMA submission with copies of all approved labeling in final printed form.

All required documents should be submitted in triplicate, unless otherwise specified, to the address below and should reference the above PMA number to facilitate processing.

PMA Document Mail Center (HFZ-401)
Center for Devices and Radiological Health
Food and Drug Administration
9200 Corporate Blvd.
Rockville, Maryland 20850

In addition under section 522(a) of the act, manufacturers of certain types of devices identified by the act or designated by FDA are required to conduct postmarket surveillance studies. FDA has identified under section 522(a)(1)(A) the above noted device as requiring postmarket surveillance.

Upon approval and within thirty (30) days of first introduction or delivery for introduction of this device into interstate commerce you will be required to submit to FDA certification of the date of introduction into interstate commerce, a detailed protocol which describes the postmarket surveillance study, and a detailed profile of the study's principal investigator that clearly establishes the qualifications and experience of the individual to conduct the proposed study. For your information, general guidance on preparing a protocol for a postmarket surveillance study is enclosed.

At that time you should submit five (5) copies to:

Postmarket Studies Document Center
1350 Piccard Drive (HFZ-544)
Rockville, Maryland 20850

Within sixty (60) days of receipt of your protocol, FDA will either approve or disapprove it and notify you of the Agency's action in writing. Do not undertake a postmarket surveillance study without an FDA approved protocol.

Failure to certify accurately the date of initial introduction of your device into interstate commerce, to submit timely an acceptable protocol, or to undertake and complete an FDA approved postmarket surveillance study consistent with the protocol, will be considered violations of section 522.

In accordance with the Medical Device Amendments of 1992, failure of a manufacturer to meet its obligations under section 522 is a prohibited act under section 301(q)(1)(C) of the act (21

U.S.C. 331(q)(1)(C)). Further, under section 502(t)(3) of the act (21 U.S.C. 352(t)(3)), a device is misbranded if there is a failure or refusal to comply with any requirement under section 522 of the act. Violations of sections 301 or 502 may lead to regulatory actions including seizure of your product, injunction, prosecution, or civil money penalties or other FDA enforcement actions including (but not limited to) withdrawal of your PMA.

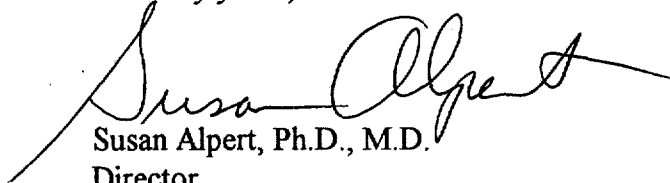
If you have any questions concerning postmarket surveillance study requirements, contact the Postmarket Surveillance Studies Branch, at (301) 594-0639.

Under section 519(e) of the act (as amended by the Safe Medical Devices Act in 1990), manufacturers of certain devices must track their products to the final user or patient so that devices can be located quickly if serious problems are occurring with the products. The tracking requirements apply to (1) permanent implants the failure of which would be reasonably likely to have serious adverse health consequences; (2) life sustaining or life supporting devices that are used outside of device user facilities the failure of which would be reasonably likely to have serious adverse health consequences; and (3) other devices that FDA has designated as requiring tracking. Under section 519(e), FDA believes that your device is a device that is subject to tracking because it is a permanent implant whose failure would be reasonably likely to have serious adverse consequences.

FDA's tracking regulations, published in the FEDERAL REGISTER on August 16, 1993, appear at 21 CFR Part 821. These regulations set out what you must do to track a device. In addition, the regulations list example permanent implant and life sustaining or life supporting devices that FDA believes must be tracked at 21 CFR § 821.20(b) and the devices that FDA has designated for tracking at 21 CFR § 821.20(c). FDA's rationale for identifying these devices is set out in the FEDERAL REGISTER (57 FR 10705-10709 (March 27, 1991), 57 FR 22973-22975 (May 29, 1992), and 58 FR 43451-43455 (August 16, 1993)).

If you have any questions concerning this approval order, please contact Steven W. Allis at (301) 443-8262.

Sincerely yours,



Susan Alpert, Ph.D., M.D.
Director
Office of Device Evaluation
Center for Devices and
Radiological Health

Enclosures

CONDITIONS OF APPROVAL

APPROVED LABELING. As soon as possible, and before commercial distribution of your device, submit three copies of an amendment to this PMA submission with copies of all approved labeling in final printed form to the PMA Document Mail Center (HFZ-401), Center for Devices and Radiological Health, Food and Drug Administration (FDA), 9200 Corporate Blvd., Rockville, Maryland 20850.

ADVERTISEMENT. No advertisement or other descriptive printed material issued by the applicant or private label distributor with respect to this device shall recommend or imply that the device may be used for any use that is not included in the FDA approved labeling for the device. If the FDA approval order has restricted the sale, distribution and use of the device to prescription use in accordance with 21 CFR 801.109 and specified that this restriction is being imposed in accordance with the provisions of section 520(e) of the act under the authority of section 515(d)(1)(B)(ii) of the act, all advertisements and other descriptive printed material issued by the applicant or distributor with respect to the device shall include a brief statement of the intended uses of the device and relevant warnings, precautions, side effects and contraindications.

PREMARKET APPROVAL APPLICATION (PMA) SUPPLEMENT. Before making any change affecting the safety or effectiveness of the device, submit a PMA supplement for review and approval by FDA unless the change is of a type for which a "Special PMA Supplement-Changes Being Effectuated" is permitted under 21 CFR 814.39(d) or an alternate submission is permitted in accordance with 21 CFR 814.39(e). A PMA supplement or alternate submission shall comply with applicable requirements under 21 CFR 814.39 of the final rule for Premarket Approval of Medical Devices.

All situations which require a PMA supplement cannot be briefly summarized, please consult the PMA regulation for further guidance. The guidance provided below is only for several key instances.

A PMA supplement must be submitted when unanticipated adverse effects, increases in the incidence of anticipated adverse effects, or device failures necessitate a labeling, manufacturing, or device modification.

A PMA supplement must be submitted if the device is to be modified and the modified device should be subjected to animal or laboratory or clinical testing designed to determine if the modified device remains safe and effective.

A "Special PMA Supplement - Changes Being Effected" is limited to the labeling, quality control and manufacturing process changes specified under 21 CFR 814.39(d)(2). It allows for the **addition** of, but **not the replacement** of previously approved, quality control specifications and test methods. These changes may be implemented before FDA approval upon acknowledgment by FDA that the submission is being processed as a "Special PMA Supplement - Changes Being Effected." This acknowledgment is in addition to that issued by the PMA Document Mail Center for all PMA supplements submitted. **This procedure is not applicable to changes in device design, composition, specifications, circuitry, software or energy source.**

Alternate submissions permitted under 21 CFR 814.39(e) apply to changes that otherwise require approval of a PMA supplement before implementation of the change and include the use of a 30-day PMA supplement or annual postapproval report. FDA must have previously indicated in an advisory opinion to the affected industry or in correspondence with the applicant that the alternate submission is permitted for the change. Before such can occur, FDA and the PMA applicant(s) involved must agree upon any needed testing protocol, test results, reporting format, information to be reported, and the alternate submission to be used.

POSTAPPROVAL REPORTS. Continued approval of this PMA is contingent upon the submission of postapproval reports required under 21 CFR 814.84 at intervals of 1 year from the date of approval of the original PMA. Postapproval reports for supplements approved under the original PMA, if applicable, are to be included in the next and subsequent annual reports for the original PMA unless specified otherwise in the approval order for the PMA supplement. Two copies identified as "Annual Report" and bearing the applicable PMA reference number are to be submitted to the PMA Document Mail Center (HFZ-401), Center for Devices and Radiological Health, Food and Drug Administration, 9200 Corporate Blvd., Rockville, Maryland 20850. The postapproval report shall indicate the beginning and ending date of the period covered by the report and shall include the following information required by 21 CFR 814.84:

- (1) Identification of changes described in 21 CFR 814.39(a) and changes required to be reported to FDA under 21 CFR 814.39(b).
- (2) Bibliography and summary of the following information not previously submitted as part of the PMA and that is known to or reasonably should be known to the applicant:
 - (a) unpublished reports of data from any clinical investigations or nonclinical laboratory studies involving the device or related devices ("related" devices include devices which are the same or substantially similar to the applicant's device); and

- (b) reports in the scientific literature concerning the device.

If, after reviewing the bibliography and summary, FDA concludes that agency review of one or more of the above reports is required, the applicant shall submit two copies of each identified report when so notified by FDA.

ADVERSE REACTION AND DEVICE DEFECT REPORTING. As provided by 21 CFR 814.82(a)(9), FDA has determined that in order to provide continued reasonable assurance of the safety and effectiveness of the device, the applicant shall submit 3 copies of a written report identified, as applicable, as an "Adverse Reaction Report" or "Device Defect Report" to the PMA Document Mail Center (HFZ-401), Center for Devices and Radiological Health, Food and Drug Administration, 9200 Corporate Blvd., Rockville, Maryland 20850 within 10 days after the applicant receives or has knowledge of information concerning:

- (1) A mixup of the device or its labeling with another article.
- (2) Any adverse reaction, side effect, injury, toxicity, or sensitivity reaction that is attributable to the device and
 - (a) has not been addressed by the device's labeling or
 - (b) has been addressed by the device's labeling, but is occurring with unexpected severity or frequency.
- (3) Any significant chemical, physical or other change or deterioration in the device or any failure of the device to meet the specifications established in the approved PMA that could not cause or contribute to death or serious injury but are not correctable by adjustments or other maintenance procedures described in the approved labeling. The report shall include a discussion of the applicant's assessment of the change, deterioration or failure and any proposed or implemented corrective action by the applicant. When such events are correctable by adjustments or other maintenance procedures described in the approved labeling, all such events known to the applicant shall be included in the Annual Report described under "Postapproval Reports" above unless specified otherwise in the conditions of approval to this PMA. This postapproval report shall appropriately categorize these events and include the number of reported and otherwise known instances of each category during the reporting period. Additional information regarding the events discussed above shall be submitted by the applicant when determined by FDA to be necessary to provide continued reasonable assurance of the safety and effectiveness of the device for its intended use.

REPORTING UNDER THE MEDICAL DEVICE REPORTING (MDR) REGULATION. The Medical Device Reporting (MDR) Regulation became effective on December 13, 1984, and requires that all manufacturers and importers of medical devices, including in vitro diagnostic devices, report to FDA whenever they receive or otherwise became aware of information that reasonably suggests that one of its marketed devices

- (1) may have caused or contributed to a death or serious injury or
- (2) has malfunctioned and that the device or any other device marketed by the manufacturer or importer would be likely to cause or contribute to a death or serious injury if the malfunction were to recur.

The same events subject to reporting under the MDR Regulation may also be subject to the above "Adverse Reaction and Device Defect Reporting" requirements in the "Conditions of Approval" for this PMA. FDA has determined that such duplicative reporting is unnecessary. Whenever an event involving a device is subject to reporting under both the MDR Regulation and the "Conditions of Approval" for this PMA, you shall submit the appropriate reports required by the MDR Regulation and identified with the PMA reference number to the following office:

Division of Surveillance Systems (HFZ-531)
Center for Devices and Radiological Health
Food and Drug Administration
1350 Piccard Drive, Room 240
Rockville, Maryland 20850
Telephone (301) 594-2735

Events included in periodic reports to the PMA that have also been reported under the MDR Regulation must be so identified in the periodic report to the PMA to prevent duplicative entry into FDA information systems.

Copies of the MDR Regulation and an FDA publication entitled, "An Overview of the Medical Device Reporting Regulation," are available by written request to the address below or by telephoning 1-800-638-2041.

Division of Small Manufacturers Assistance (HFZ-220)
Center for Devices and Radiological Health
Food and Drug Administration
5600 Fishers Lane
Rockville, Maryland 20857