2/22/99

K990373

Special 510(k) Summary
Fact plus® One Step
Pregnancy Test

Information Supporting a
Substantially Equivalent Determination

The conformance to Design Control as presented in the Special 510(k) for the Fact plus One Step Pregnancy Test documents that the modifications made to the predicate device to prepare the modified device have not changed the original intended use or performance characteristics of the Fact plus One Step Pregnancy Test.

The intended use of both pregnancy tests is as a qualitative, consumer home-use, *in vitro* diagnostic immunoassay for the detection of human chorionic gonadotropin (hCG) in human urine. The modified device has demonstrated comparable performance characteristics to the predicate device. This information is documented in the Design History File for the assay, maintained at Abbott Laboratories.

Prepared and Submitted February 5, 1999 by:

Abbott Laboratories
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DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
2098 Gaither Road
Rockville MD 20850

FEB 2 2 1999

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Abbott Laboratories
Diagnostic Division
Dept. 9V6 Building AP31
200 Abbott Park Road
Abbott Park, Illinois 60064-6200

Re: K990373
Trade Name: Fact Plus One Step Pregnancy Test
Regulatory Class: II
Product Code: LCX
Dated: February 5, 1999
Received: February 8, 1999

Dear Dr. Wortley:

We have reviewed your Section 510(k) notification of intent to market the device referenced above and we have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to legally marketed predicate devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

If your device is classified (see above) into either class II (Special Controls) or class III (Premarket Approval), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 895. A substantially equivalent determination assumes compliance with the Current Good Manufacturing Practice requirements, as set forth in the Quality System Regulation (QS) for Medical Devices: General regulation (21 CFR Part 820) and that, through periodic QS inspections, the Food and Drug Administration (FDA) will verify such assumptions. Failure to comply with the GMP regulation may result in regulatory action. In addition, FDA may publish further announcements concerning your device in the Federal Register. Please note: this response to your premarket notification submission does not affect any obligation you might have under sections 531 through 542 of the Act for devices under the Electronic Product Radiation Control provisions, or other Federal laws or regulations.

Under the Clinical Laboratory Improvement Amendments of 1988 (CLIA-88), this device may require a CLIA complexity categorization. To determine if it does, you should contact the Centers for Disease Control and Prevention (CDC) at (770) 488-7655.

This letter will allow you to begin marketing your device as described in your 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801 and additionally 809.10 for in vitro diagnostic devices), please contact the Office of Compliance at (301) 594-4588. Additionally, for questions on the promotion and advertising of your device, please contact the Office of Compliance at (301) 594-4639. Also, please note the regulation entitled, "Misbranding by reference to premarket notification"(21 CFR 807.97). Other general information on your responsibilities under the Act may be obtained from the Division of Small Manufacturers Assistance at its toll-free number (800) 638-2041 or (301) 443-6597, or at its internet address "http://www.fda.gov/cdrh/dsma/dsmamain.html".

Sincerely yours,

Steven Gutman

Steven I. Gutman, M.D, M.B.A.
Director
Division of Clinical
Laboratory Devices
Office of Device Evaluation
Center for Devices and
Radiological Health

Enclosure

510(k) Number (if known): K990373

Device Name: Fact plus® One Step Pregnancy Test

Indications For Use:

The Fact plus® One Step Pregnancy Test is a qualitative, consumer home-use, *in vitro* diagnostic immunoassay for the detection of human chorionic gonadotropin (hCG) in human urine for the early detection of pregnancy.

Jean Cooper
(Division Sign-Off)
Division of Clinical Laboratory Devices
510(k) Number K990373

(PLEASE DO NOT WRITE BELOW THIS LINE - CONTINUE ON ANOTHER PAGE IF NEEDED)

Concurrence of CDRH, Office of Device Evaluation (ODE)

Prescription Use _____ OR Over-The-Counter Use ✓
(Per 21 CFR 801.109)

(Optional Format 1-2-96)