



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

MAR - 1 2004

Food and Drug Administration  
9200 Corporate Boulevard  
Rockville MD 20850

Abraham Lavi, Ph.D., MBA  
President  
Vilex, Inc.  
345 Old Curry Hollow Road  
Pittsburg, Pennsylvania 15236

Re: K023684

Trade/Device Name: Cannulated Metallic Hemi Toe Implant  
Regulation Number: 21 CFR 888.3730  
Regulation Name: Toe joint phalangeal (hemi-toe) polymer prosthesis  
Regulatory Class: II  
Product Code: KWD  
Dated: December 29, 2003  
Received: January 8, 2004

Dear Dr. Lavi:

We have reviewed your Section 510(k) premarket notification of intent to market the device referenced above and 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) that do not require approval of a premarket approval application (PMA). 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.

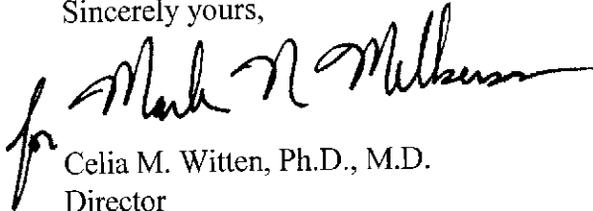
If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 898. In addition, FDA may publish further announcements concerning your device in the Federal Register.

Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's requirements, including, but not limited to: registration and listing (21 CFR Part 807); labeling (21 CFR Part 801); good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820); and if applicable, the electronic product radiation control provisions (Sections 531-542 of the Act); 21 CFR 1000-1050.

This letter will allow you to begin marketing your device as described in your Section 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), please contact the Office of Compliance at (301) 594-4659. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR Part 807.97). You may obtain other general information on your responsibilities under the Act from the Division of Small Manufacturers, International and Consumer 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,

A handwritten signature in black ink, appearing to read "Mark N. Milburn". The signature is written in a cursive style and is positioned to the right of the typed name.

Celia M. Witten, Ph.D., M.D.

Director

Division of General, Restorative  
and Neurological Devices

Office of Device Evaluation

Center for Devices and

Radiological Health

Enclosure



Inc.

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510 (K) NUMBER **K023684**

DEVICE NAME: **CANNULATED METALLIC HEMI TOE IMPLANT**

INDICATIONS FOR USE:

The Cannulated Metallic Toe Implant, as designed, has the following Indications for Use:

Hallux Limitus or Hallux Rigidus, Hallux Valgus, Joint  
Arthroplasty, Resurfacing of Arthritic M-P Joints.

The material used to manufacture this prosthesis is implant-quality cobalt-chrome alloy ASTM F75. The implant may be cemented to the phalanx or press-fit without cement.

Prescription Use   X   *alavi*  
(Per 21 CFR 801.109)

Concurrence of CDRH, Office of Device Evaluation (ODE)

page   1   of   1  , Revised 12/29/03

*for Mark N. Millerson*  
(Division Sign-Off)  
Division of General, Restorative,  
and Neurological Devices

510(k) Number           K023684