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SUMMARY OF SAFETY AND EFFECTIVENESS

As required by the Safe Medical Devices Act of 1990, coded under Section 513, Part (I)(3)(A) of the Food, Drug and Cosmetic Act, a summary of the safety and effectiveness information upon which substantial equivalence determination is based as follows:

A. Submitter Information:

Applicant:	Bard Peripheral Vascular, Inc. 1625 West 3rd Street Tempe, Arizona 85280
Phone:	480-303-2752
Fax:	480-449-2546
Contact:	Aymee R. Berry, Associate Manager, Regulatory Affairs

B. Device Name: Bard® LUMINEXX™ 3 Biliary Stent and Delivery System

Common or Usual Name: Catheter, Biliary

Classification: Class II

C. Predicate Device Name(s): Bard® LUMINEXX™ 6F Biliary Stent and Delivery System (K020682)

D. Device Description:

The Bard® LUMINEXX™ 3 Biliary Stent and Delivery System is a stenting device, designed to maintain the patency of biliary ducts obstructed by malignant neoplasms. The device includes a self-expanding Bard® LUMINEXX™ 3 biliary stent pre-loaded on a flexible delivery system. Highly radiopaque markers on the ends of the stent facilitate stent placement. The Bard® LUMINEXX™ 3 Biliary Stent and Delivery System is available in several diameters and lengths.

E. Statement of Intended Use:

The Bard® LUMINEXX™ 3 Biliary Stent and Delivery System is indicated for use in the treatment of biliary strictures resulting from malignant neoplasms.

F. Substantial Equivalence:

A variety of tests, assessments, and comparisons demonstrate that the Bard® LUMINEXX™ 3 Biliary Stent and Delivery System is substantially equivalent to the above-referenced predicate in terms of composition, design, intended use, and performance attributes.

DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
9200 Corporate Boulevard
Rockville MD 20850

Ms. Aymee Berry
Associate Manager, Regulatory Affairs
Bard Peripheral Vascular, Inc.
1625 West 3rd Street
TEMPE, AZ 85280

FEB 4 - 2004

Re: K033497
Trade/Device Name: Bard® LUMINEXX™ 3 Biliary Stent and Delivery System
Regulation Number: 21 CFR §876.5010
Regulation Name: Biliary catheter and accessories
Regulatory Class: II
Product Code: 78 FGE
Dated: January 21, 2004
Received: January 22, 2004

Dear Ms. Berry:

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). You may, therefore, market the device, subject to the general controls provisions of the Act and the limitations described below. 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.

The Office of Device Evaluation has determined that there is a reasonable likelihood that this device will be used for an intended use not identified in the proposed labeling and that such use could cause harm. Therefore, in accordance with Section 513(i)(1)(E) of the Act, the following limitation must appear in the Warnings section of the device's labeling:

> The safety and effectiveness of this device for use in the vascular system have not been established.

Furthermore, the indication for biliary use must be prominently displayed in all labeling, including pouch, box, and carton labels, instructions for use, and other promotional materials, in close proximity to the trade name, of a similar point size, and in bold print.

If your device is classified (see above) into either class II (Special Controls) or class III (PMA), it may be subject to 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.

The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and permits your device to proceed to the market. This letter will allow you to begin marketing your device as described in your Section 510(k) premarket notification if the limitation statement described above is added to your labeling.

Please note that the above labeling limitations are required by Section 513(i)(1)(E) of the Act. Therefore, a new 510(k) is required before these limitations are modified in any way or removed from the device's labeling.

If you desire specific information about the application of other labeling requirements to your device (21 CFR Part 801), please contact the Office of Compliance at (301) 594-4616. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21 CFR 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,

Daniel G. Schultz, M.D.
Director
Office of Device Evaluation
Center for Devices and Radiological Health

Enclosure

510(k) Number: K033497

Device Name: Bard® LUMINEXX™ 3 Biliary Stent and Delivery System

FDA's Statement of the Indications For Use for device:

The Bard® LUMINEXX™ 3 Biliary Stent and Delivery System is indicated for use in the treatment of biliary strictures resulting from malignant neoplasms.

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

David G. Bigum

(Division Sign-Off)
Division of Reproductive, Abdominal,
and Radiological Devices
510(k) Number K033497