



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

JUN 10 2004

Food and Drug Administration
2098 Gaither Road
Rockville MD 20850

Mr. Andrew C. Swanson
President
Clinical Diagnostic Solutions, Inc.
1660 N.W. 65th Avenue
Suite 2
Plantation, FL 33313

Re: k041130
Trade/Device Name: CDS Hematology Calibrator (CDS CAL)
Regulation Number: 21 CFR 864.8165
Regulation Name: Calibrator for hemoglobin or hematocrit measurement
Regulatory Class: Class II
Product Code: KRZ, KRY, KSA
Dated: March 29, 2004
Received: May 4, 2004

Dear Mr. Swanson:

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 Title 21, Code of Federal Regulations (CFR), Parts 800 to 895. In addition, FDA may publish further announcements concerning your device in the Federal Register.

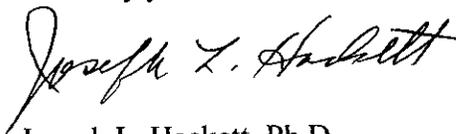
Please be advised that FDA's issuance of a substantial equivalence determination does not mean that FDA has made a determination that your device complies with other requirements of the Act or any Federal statutes and regulations administered by other Federal agencies. You must comply with all the Act's requirements, including, but not limited to: registration and listing (21 CFR Part 807); labeling (21 CFR Parts 801 and 809); and good manufacturing practice requirements as set forth in the quality systems (QS) regulation (21 CFR Part 820).

Page 2

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 information about the application of labeling requirements to your device, or questions on the promotion and advertising of your device, please contact the Office of *In Vitro* Diagnostic Device Evaluation and Safety at (301) 594-3084. 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 "Joseph L. Hackett". The signature is written in a cursive style with a large initial "J".

Joseph L. Hackett, Ph.D.
Acting Director
Division of Immunology and Hematology
Office of In Vitro Diagnostic Device
Evaluation and Safety
Center for Devices and
Radiological Health

Enclosure

Indications for Use

510(k) Number: K041130

Device Name: CDS Hematology Calibrator (CDS CAL)

Indications for Use:

The CDS Hematology Calibrator for red cell, white cell and platelet counting is a device that resembles red cells, white cells and platelets in whole blood specimens and is intended to serve as a calibration standard for automated hematology analyzers, including Beckman Coulter S Plus II-VI series, STKR, JS, JR, ST and JT series, STKS, MAXM, HmX, Gen•S, MD series, OnyX, T series and A^c•T and A^c•T diff series analyzers; the Abbott Cell-Dyn 1400, 1500, 1600 and 1700 analyzers; and the Danam EXCEL 16 and EXCEL 22 analyzers, intended to count red cells, white cells and platelets. It is a suspension of particles or cells whose size, shape, concentration and other characteristics have been precisely and accurately determined.

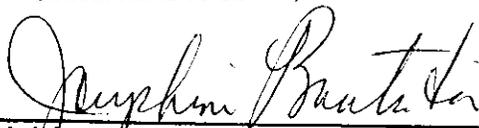
Prescription Use X
(Part 21 CFR 801 Subpart D)

AND/OR

Over-The-Counter Use _____
(21 CFR 801 Subpart C)

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

Concurrence of CDRH, Office of In Vitro Diagnostic Devices (OIVD)



Division Sign-Off

Page 1 of 1

Office of In Vitro Diagnostic Device
Evaluation and Safety

510(k) K041130