



Food and Drug Administration
10903 New Hampshire Avenue
Document Control Room W-066-0609
Silver Spring, MD 20993-0002

The Snore Reliever Company, L.L.C.
C/O Mr. Nicolaas Besseling
BesTech Consulting Services
28711 Jaeger Drive
Laguna Niguel, California 92677

JAN 13 2010

Re: K092942
Trade/Device Name: Vital Sleep™
Regulation Number: 21 CFR 872.5570
Regulation Name: Intraoral Devices for Snoring and Intraoral Devices for Snoring and
Obstructive Sleep Apnea
Regulatory Class: II
Product Code: LRK
Dated: January 12, 2010
Received: January 12, 2010

Dear Mr. Besseling:

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 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.

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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); medical device reporting (reporting of medical device-related adverse events) (21 CFR 803); 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.

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801), please contact the Center for Devices and Radiological Health's (CDRH's) Office of Compliance at (240) 276-0115. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21CFR Part 807.97). For questions regarding the reporting of adverse events under the MDR regulation (21 CFR Part 803), please contact the CDRH/Office of Surveillance and Biometrics/Division of Postmarket Surveillance at 240-276-3464. For more information regarding the reporting of adverse events, please go to <http://www.fda.gov/cdrh/mdr/>.

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 (240) 276-3150 or at its Internet address <http://www.fda.gov/cdrh/industry/support/index.html>.

Sincerely yours,



Anthony D. Watson, BS, MS, MBA
Director

Division of Anesthesiology, General Hospital,
Infection Control, and Dental Devices
Office of Device Evaluation
Center for Devices and
Radiological Health

Enclosure

5 Indications for use

510(k) number:

Device name: Vital Sleep™

Intended use: The Vital Sleep™ mandibular advancement device is intended for the treatment of nighttime snoring in adults.

Concurrence of CDRH, Office of Device Evaluation

Kevin Mulvey for MSR
(Division Sign-Off)
Division of Anesthesiology, General Hospital
Infection Control, Dental Devices

510(k) Number: K092942

Prescription use
(Per 21CFR801.109)

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or

Over-The-Counter use _____