

HFI-35
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Food and Drug Administration
2098 Gaither Road
Rockville MD 20850

NOV 25 1997

WARNING LETTER**VIA FEDERAL EXPRESS**

Mr. Jon E. Last
Managing Director
Vas-Cath, Incorporated
2380 Tedlo Street
Ontario, Canada L5A 3V3

Dear Mr. Last:

During the Food and Drug Administration's (FDA) inspection of your firm, Vas-Cath, Incorporated, located at 2380 Tedlo Street, Ontario, Canada, from October 6-9, 1997, our investigator determined that your firm manufactures implantable hemodialysis catheters. Implantable hemodialysis catheters are devices within the meaning of Section 201(h) of the Federal Food, Drug, and Cosmetic Act (the Act).

The above-stated inspection revealed that these devices are adulterated, in that the methods used in, or the facilities or controls used for the manufacture, packaging, storage, or installation are not in conformance with the Quality System Regulations, as specified in Title 21, Code of Federal Regulations (21 CFR), Part 820, as follows:

1. Failure to identify, recommend, or provide solution for quality assurance problems and verify the implementation of such solutions, as required by 21CFR 820.20(a)(3). For example:

Vas-Cath first learned of a failure trend involving their [redacted] implantable dialysis direct access catheter in April 1996 which indicated complaints involving [redacted] in the [redacted] area and [redacted] of the catheter itself. More than half of the [redacted] complaints received during 1996 and in the first half 1997 reported these failures in the device. Reportedly, failure investigations were initiated in April 1996. Complaint files indicate at least [redacted] complaints were related to [redacted] of the [redacted] and [redacted] were related to [redacted] in the actual catheters. According to the firm's response, dated October 23, 1997, an additional [redacted] complaints have been received for the same problems. Documentation of the investigation between April 1996 and September 1997 appears to indicate periods where no activity was recorded for the investigation. For example, there was no activity documented between the periods of December 1996 and May 1997 and from June 1997 and October 1, 1997.

You have not yet identified a cause of the problem, and therefore, have not identified corrective or preventive action needed to prevent recurrence of nonconforming product. The device continues to be distributed and complaints continue to be received by your firm.

Your response, dated October 23, 1997, to this item promises continued investigation to determine the cause of the [REDACTED] identified in April 1996 and expects to have completed the investigation by December 31, 1997. Other possible contributing factors identified by your firm are being evaluated for a root cause such as [REDACTED], [REDACTED], and [REDACTED]. The response to this item is considered inadequate because you did not submit [REDACTED] to indicate how the investigation will continue, to determine [REDACTED] indicated, and any future corrective or preventive actions.

2. Failure to establish procedures for specifications control measures to assure that the design basis for the device, components, and packaging is correctly translated into approved specifications, as required by 21 CFR 820.100(a)(1).

For example, the investigator reportedly was told by a representative of your firm that the [REDACTED] had not gone through [REDACTED], nor had the [REDACTED] been validated. Documentation of several [REDACTED] were shown to the investigator during the inspection as evidence of [REDACTED] of the [REDACTED] and submitted along with your response to the FDA 483 to address the issue. These documents were reviewed to determine adequacy of the [REDACTED]. Although the [REDACTED] shows you followed to assure that the [REDACTED] was installed correctly and that it was operational at that time, there was no documentation to show that the [REDACTED] could operate in challenged conditions or function as intended during the manufacture of a specific device or that it had been validated.

Your response indicated that the [REDACTED] could not be validated due to a large number of variables which affect [REDACTED] and the [REDACTED] it produces. The response indicated that a [REDACTED] is used to achieve a well controlled process. A process such as [REDACTED] cannot usually be fully verified through subsequent inspection and test every time. No documentation was submitted to show how the process could be fully verified (if possible) and that the product consistently meets its specifications. This response is considered inadequate. Additionally, do you have documentation of any [REDACTED] performed for this process? What statistical methods or sampling plans from [REDACTED] were applicable to this process?

3. Failure to establish adequate procedures for acceptance of incoming product and inspect, test, or otherwise verify that incoming product conforms to specified requirements, as required by 21 CFR 820.80(b).

For example, the component specifications for the [REDACTED], [REDACTED], and [REDACTED] used in [REDACTED] for the [REDACTED] and [REDACTED] are limited to a [REDACTED] inspection of the incoming materials and are not tested or otherwise verified as conforming to significant physical specifications. Reportedly, there is a [REDACTED] of specifications used to order the [REDACTED] required for your product and you generally use [REDACTED] material in the manufacture of both the [REDACTED] and the [REDACTED] products.

None of the physical specifications listed in the [REDACTED] are used as a part of your incoming inspection, testing, and verification activities. You do not have procedures specific to verification of these incoming components.

According to your response, the current acceptance [REDACTED] for [REDACTED] are based on the [REDACTED] and [REDACTED] component specifications for [REDACTED] inspection for [REDACTED] specifications. As corrective action, you promised that in the future, you would baseline [REDACTED] specifications on [REDACTED] and undertake additional testing on a regular basis to [REDACTED] characteristics. These new specifications are to be taken from the [REDACTED] and [REDACTED] specifications. The current [REDACTED] will be revised to include [REDACTED] provided in your response. Dates of implementation of this corrective action were provided. This response is considered inadequate in that copies of new acceptance [REDACTED] were not supplied along with the response.

4. Failure to include in [REDACTED] documents, where possible, an agreement that suppliers agree to notify the manufacturer of changes in the product or service so that the manufacturer may determine whether the changes may affect the quality of a finished device, as required by 21 CFR 820.50(b). For example, Vas-Cath supplier agreements are [REDACTED] forms and are forwarded [REDACTED] to the vendor. However, the agreements do not include the requirement to have the vendor agree to notify Vas-Cath of any changes in product or service provided.

Your response to this item included obtaining signed agreements from vendors indicating that they will not change materials or component specifications without a written agreement from Vas-Cath. However, no revised procedure or sample of this agreement letter to be used was included in the response. This response is considered inadequate.

5. Failure to establish sampling plans which are based on a statistical rationale and to have procedures to ensure that sampling methods are adequate for their intended use and that when changes occur the sampling plans are reviewed, as required by 21 CFR 820.250(b).

For example, Vas-Cath is reportedly using at least [REDACTED] different types of sampling plans for the [REDACTED] received from various suppliers. There is no documentation to show how the firm identifies a particular sampling plan to use for a certain product and there are no written procedures in place to help them to identify valid statistical techniques required for establishing, controlling, and verifying acceptability of product characteristics.

Your response to this item identifies Vas-Cath procedure [REDACTED] as the procedure used in evaluating [REDACTED] and [REDACTED]. According to the response, the procedure will be updated, but it is not clear what changes in the procedure will be made to reflect the regulatory requirements. This response is considered inadequate in that you did not provide copies of a revised procedure which should show that the sampling plans used are based on a valid statistical rationale and that these procedures help the user to identify a particular sampling plan to be used for a certain product.

This letter is not intended to be an all-inclusive list of deficiencies at your facility. It is your responsibility to ensure adherence to each requirement of the Act and regulations. The specific violations noted in this letter and in the FDA 483 issued at the close of the inspection may be symptomatic of serious underlying problems in your firm's manufacturing and quality assurance systems. You are responsible for investigating and determining the causes of the violations identified by the FDA. If the causes are determined to be systems problems, you must promptly initiate permanent corrective actions. Federal agencies are advised of the issuance of all Warning Letters about devices so that they may take this information into account when considering the award of contracts.

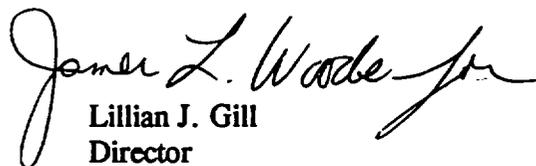
We formally acknowledge that you have submitted a response dated October 23, 1997, concerning our investigator's observations noted on the form FDA 483. We have reviewed your response and are unable to determine the full adequacy of your response. In order to evaluate your response to the FDA-483, it will be necessary for you to submit copies of your modified protocols/procedures referenced in your response .

You should take prompt action to correct these and any other manufacturing or quality systems deviations identified by your internal audits. Failure to promptly correct these deviations may be identified in a follow-up inspection, and may result in the detention of your device(s) without physical examination upon entry into the United States.

Please notify this office, in writing, within 15 working days of receipt of this letter of the specific steps you have taken to correct the noted violations, including an explanation of each step being taken to identify and make corrections to any underlying systems problems necessary to assure that similar violations will not recur. Please include any and all documentation to show that adequate correction has been achieved. In the case of future corrections, an estimated date of completion, and documentation showing plans for correction, should be included with your response to this letter. If the documentation is not in English, please provide a translation to facilitate our review. Please address your response and any questions to Timothy R. Wells, Chief, OB/GYN, Gastroenterology and Urology Branch, at the letterhead address.

Should you require any assistance in understanding the contents of this letter, do not hesitate to contact Ms. Sharon Murrain-Ellerbe at the letterhead address or at (301) 594-4616 or FAX (301)594-4638.

Sincerely yours,



Lillian J. Gill
Director
Office of Compliance
Center for Devices and
Radiological Health