July 1, 2021

Corey Yackel
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Exact Sciences Laboratories
650 Forward Drive
Madison, WI 53711

Device:	COVID-Flu Multiplex Assay
EUA Number:	EUA203022
Company:	Exact Sciences Laboratories
Indication:	Simultaneous qualitative detection and differentiation of nucleic acid from SARS-CoV-2, influenza A virus and/or influenza B virus in anterior nasal swab specimens self-collected in a healthcare setting by individuals suspected of respiratory viral infection consistent with COVID-19 by a healthcare provider. This test is also for use with anterior nasal swab specimens that are (1) self-collected at home by individuals age 18 years and older using the Exact Sciences Nasal Swab Home Collection Kit when home collection is determined to be appropriate by a healthcare provider, or (2) collected using the Everlywell COVID-19 & Flu Test Home Collection Kit when used consistent with its authorization. Emergency use of this test is limited to the authorized laboratory.
Authorized Laboratory:	Testing is limited to Exact Sciences Laboratories, located at 650 Forward Drive, Madison, WI 53711, which is certified under the Clinical Laboratory Improvement Amendments of 1988 (CLIA), 42 U.S.C. § 263a, and meets the requirements to perform high complexity tests.

Dear Ms. Yackel:

This letter is in response to your[1] request that the Food and Drug Administration (FDA) issue an Emergency Use Authorization (EUA) for emergency use of your product,[2] pursuant to Section 564 of the Federal Food, Drug, and Cosmetic Act (the Act) (21 U.S.C. §360bbb-3).

[1] For ease of reference, this letter will use the term "you" and related terms to refer to Exact Sciences Laboratories.
[2] For ease of reference, this letter will use the term "your product" to refer to the COVID-Flu Multiplex Assay used

On February 4, 2020, pursuant to Section 564(b)(1)(C) of the Act, the Secretary of the Department of Health and Human Services (HHS) determined that there is a public health emergency that has a significant potential to affect national security or the health and security of United States citizens living abroad, and that involves the virus that causes COVID-19. Pursuant to Section 564 of the Act, and on the basis of such determination, the Secretary of HHS then declared that circumstances exist justifying the authorization of emergency use of in vitro diagnostics for detection and/or diagnosis of the virus that causes COVID-19 subject to the terms of any authorization issued under Section 564(a) of the Act.[3]

There is an FDA-approved/cleared test for the qualitative detection and identification of SARS-CoV-2, influenza A virus and influenza B virus (among other organism types), but this is not an adequate and available alternative to your product. Respiratory viral infections caused by the influenza A and B viruses and SARS-CoV-2 can have similar clinical presentation and diagnostic considerations. Thus, to differentially detect SARS-CoV-2, information from a test that detects and differentiates the virus that causes COVID-19 and the common influenza viruses that cause seasonal epidemics of flu, influenza A and B (not influenza C) is needed during the flu season that coincides with the COVID-19 pandemic.

FDA considered the totality of scientific information available in authorizing the emergency use of your product for the indication above. A summary of the performance information FDA relied upon is contained in the EUA Summary (identified below).

Having concluded that the criteria for issuance of this authorization under Section 564(c) of the Act are met, I am authorizing the emergency use of your product, described in the Scope of Authorization of this letter (Section II), subject to the terms of this authorization.

I. Criteria for Issuance of Authorization

I have concluded that the emergency use of your product meets the criteria for issuance of an authorization under Section 564(c) of the Act, because I have concluded that:

1. The SARS-CoV-2 can cause a serious or life-threatening disease or condition, including severe respiratory illness, to humans infected by this virus;

2. Based on the totality of scientific evidence available to FDA, it is reasonable to believe that your product may be effective in diagnosing COVID-19 through the simultaneous detection and differentiation of SARS-CoV-2, influenza A virus, and/or influenza B virus nucleic acids and that the known and potential benefits of your product when used for diagnosing COVID-19, outweigh the known and potential risks of your product; and

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for the indication identified above.

[3] U.S. Department of Health and Human Services, *Determination of a Public Health Emergency and Declaration that Circumstances Exist Justifying Authorizations Pursuant to Section 564(b) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 360bbb-3*. 85 FR 7316 (February 7, 2020).

3. There is no adequate, approved, and available alternative to the emergency use of your product.[4]

II. Scope of Authorization

I have concluded, pursuant to Section 564(d)(1) of the Act, that the scope of this authorization is limited to the indication above.

Authorized Product Details
Your product is a real-time RT-PCR assay intended for the simultaneous qualitative detection and differentiation of nucleic acid from SARS-CoV-2, influenza A virus and/or influenza B virus in anterior nasal swab specimens self-collected in a healthcare setting by individuals suspected of respiratory viral infection consistent with COVID-19 by a healthcare provider. Clinical signs and symptoms of respiratory viral infection due to SARS-CoV-2 and influenza can be similar. Your product is not intended to detect influenza C virus.

This test is also for use with anterior nasal swab specimens that are (1) self-collected at home by individuals age 18 years and older using the Exact Sciences Nasal Swab Home Collection Kit when home collection is determined to be appropriate by a healthcare provider, or (2) collected using the Everlywell COVID-19 & Flu Test Home Collection Kit when used consistent with its authorization. Specimens collected using the Exact Sciences Nasal Swab Home Collection Kit and Everlywell COVID-19 & Flu Test Home Collection Kit can be transported at ambient temperature for testing.

Testing is limited to Exact Sciences Laboratories, located at 650 Forward Drive, Madison, WI 53711, which is certified under the Clinical Laboratory Improvement Amendments of 1988 (CLIA), 42 U.S.C. § 263a, and meets the requirements to perform high complexity tests.

The SARS-CoV-2, influenza A and/or influenza B nucleic acid is generally detectable in anterior nasal swab specimens during the acute phase of infection. Positive results are indicative of the presence of SARS-CoV-2, influenza A and/or influenza B nucleic acid; clinical correlation with patient history and other diagnostic information is necessary to determine patient infection status. Positive results do not rule out bacterial infection or co-infection with other pathogens not detected by the test. Negative results do not preclude SARS-CoV-2, influenza A and/or influenza B infection and should not be used as the sole basis for patient management decisions. Negative results must be combined with clinical observations, patient history, and epidemiological information.

To use your product, nucleic acid is first extracted, isolated and purified from anterior nasal swab specimens. The purified nucleic acid is then reverse transcribed into cDNA followed by PCR amplification and detection using an authorized real-time (RT) PCR instrument. The COVID-Flu Multiplex Assay includes the following materials or other authorized materials: Carrier/Poly (A), Elution buffer, GTC/10% IGEPAL, Binding Beads, Conversion Wash, Master Mix, Flu/SC Oligo Mix, DNA Suspension Buffer.

[4] No other criteria of issuance have been prescribed by regulation under Section 564(c)(4) of the Act.

The Exact Sciences Nasal Swab Home Collection Kit includes the following material or other authorized materials (as may be requested under Condition P below): Anterior nasal swab, collection tube with transport media (0.9% saline), collection tube label, biohazard bag (with absorbent pad), bubble wrap bag, shipping box with return label, self-collection instructions. Individuals must follow all specimen collection and mailing/return instructions provided with the collection kit.

Your product requires the following control materials, or other authorized control materials (as may be requested under Condition P below), that are processed in the same way as the specimens and are required to be included with each batch of specimens tested with your product. All controls listed below must generate expected results in order for a test to be considered valid, as outlined in the authorized labeling:

- Extraction No Target (ENT) – saline, used as an extraction control to monitor for any cross contamination that could occur during the extraction process.
- No Target Control (NTC) – TE buffer, used to monitor the possibility of reagent contamination in the assay run.
- Positive Extraction Control (PEC) – contains targets for SARS-CoV-2, influenza A, influenza B and human RNase P, used to verify that the assay extraction and RT-PCR assay run is performing as intended.
- Internal Control – contains a locus within the human RNAse P gene, monitors adequate amounts and quality of RNA in the sample and correct sample processing.

Your product also requires the use of additional authorized materials and authorized ancillary reagents that are not included with your product and are described in the authorized labeling.

The above described product is authorized to be accompanied with the laboratory procedures bundle (described below), the EUA Summary and the "Exact Sciences Nasal Swab Home Collection Kit" Instructions for Use (available at https://www.fda.gov/medical-devices/coronavirus-disease-2019-covid-19-emergency-use-authorizations-medical-devices/invitro-diagnostics-euas), and the following product-specific information pertaining to the emergency use, which is required to be made available to healthcare providers and patients:

- Fact Sheet for Healthcare Providers: Exact Sciences Laboratories - COVID-Flu Multiplex Assay
- Fact Sheet for Patients: Exact Sciences Laboratories - COVID-Flu Multiplex Assay

The above described product, when accompanied by the Exact Sciences laboratory procedures bundle, the EUA Summary and two fact sheets, is authorized to be used by the authorized laboratory (i.e. limited to Exact Sciences Laboratories, located at 650 Forward Drive, Madison, WI 53711) under this EUA, despite the fact that it does not meet certain requirements otherwise required by applicable federal law.

The Exact Sciences Nasal Swab Home Collection Kit when accompanied by the "Exact Sciences Nasal Swab Home Collection Kit" Instructions for Use is authorized to be distributed and used

as part of the above described product as set forth in this EUA.

"Authorized labeling" refers to the Exact Sciences laboratory procedures bundle, EUA Summary, two fact sheets, and "Exact Sciences Nasal Swab Home Collection Kit" Instructions for Use.

I have concluded, pursuant to Section 564(d)(2) of the Act, that it is reasonable to believe that the known and potential benefits of your product, when used consistent with the Scope of Authorization of this letter (Section II), outweigh the known and potential risks of your product.

I have concluded, pursuant to Section 564(d)(3) of the Act, based on the totality of scientific evidence available to FDA, that it is reasonable to believe that your product may be effective in diagnosing COVID-19, when used consistent with the Scope of Authorization of this letter (Section II), pursuant to Section 564(c)(2)(A) of the Act.

FDA has reviewed the scientific information available to FDA, including the information supporting the conclusions described in Section I above, and concludes that your product (as described in the Scope of Authorization of this letter (Section II)) meets the criteria set forth in Section 564(c) of the Act concerning safety and potential effectiveness.

The emergency use of your product under this EUA must be consistent with, and may not exceed, the terms of this letter, including the Scope of Authorization (Section II) and the Conditions of Authorization (Section IV). Subject to the terms of this EUA and under the circumstances set forth in the Secretary of HHS's determination under Section 564(b)(1)(C) of the Act described above and the Secretary of HHS's corresponding declaration under Section 564(b)(1) of the Act, your product is authorized for the indication above.

III. Waiver of Certain Requirements

I am waiving the following requirements for your product during the duration of this EUA:

- Current good manufacturing practice requirements, including the quality system requirements under 21 CFR Part 820 with respect to the design, manufacture, packaging, labeling, storage, and distribution of your product.

IV. Conditions of Authorization

Pursuant to Section 564(e) of the Act, I am establishing the following conditions on this authorization:

Exact Sciences Laboratories (You) and Authorized Distributor(s)[5]

A. Your product must comply with the following labeling requirements pursuant to FDA regulations: the intended use statement (21 CFR 809.10(a)(2), (b)(2)); adequate directions

[5] "Authorized Distributor(s)" are identified by you, Exact Sciences Laboratories, in your EUA submission as an entity allowed to distribute the Exact Sciences Nasal Swab Home Collection Kit.

for use (21 U.S.C. 352(f)), (21 CFR 809.10(b)(5), (7), and (8)); appropriate limitations on the use of the device including information required under 21 CFR 809.10(a)(4); and any available information regarding performance of the device, including requirements under 21 CFR 809.10(b)(12).

B. You and authorized distributor(s) must make available on your website(s), if applicable, the Fact Sheet for Healthcare Providers and the Fact Sheet for Patients.

C. You and authorized distributor(s) must make available the "Exact Sciences Nasal Swab Home Collection Kit" Instructions for Use in the shipped kit and make the instructions available on your website.

D. Through a process of inventory control, you and authorized distributor(s) must maintain records of the numbers and locations to which the Exact Sciences Nasal Swab Home Collection Kit is distributed.

E. You and authorized distributor(s) must maintain customer complaint files concerning the Exact Sciences Nasal Swab Home Collection Kit on record. You must report to FDA any significant complaints about usability or deviations from the established performance characteristics of the product of which you become aware.

F. You and authorized distributor(s) are authorized to make available additional information relating to the emergency use of your product that is consistent with, and does not exceed, the terms of this letter of authorization.

G. You, authorized distributors must ensure that any records associated with this EUA, including test usage, are maintained until otherwise notified by FDA. Such records will be made available to FDA for inspection upon request.

Exact Sciences Laboratories (You)

H. You must notify FDA of any authorized distributor(s) of the Exact Sciences Nasal Swab Home Collection Kit, including the name, address, and phone number of any authorized distributor(s).

I. You must provide authorized distributor(s) with a copy of this EUA and communicate to authorized distributor(s) any subsequent amendments that might be made to this EUA and its authorized accompanying materials (e.g., Fact Sheets).

J. You must inform relevant public health authorities of this EUA, including the terms and conditions herein, and any updates make to your product and authorized labeling.

K. You must notify the relevant public health authorities of your intent to run your product.

L. You must have a process in place for reporting test results to healthcare providers and relevant public health authorities, as appropriate.

M. You must include with test result reports, all authorized Fact Sheets. Under exigent circumstances, other appropriate methods for disseminating these Fact Sheets may be used, which may include mass media.

N. You must use your product as outlined in the authorized labeling. Deviations from the authorized procedures, including the authorized instruments, authorized extraction methods, authorized clinical specimen types, authorized control materials, authorized other ancillary reagents and authorized materials required to use your product are not permitted.

O. When testing authorized specimens collected using the Exact Sciences Nasal Swab Home Collection Kit or the Everlywell COVID-19 Test Home Collection Kit, you must follow any Specimen Accessioning protocols when accepting specimens for testing.

P. You may request changes to this EUA for your product, including to the Scope of Authorization (Section II in this letter) or to the authorized labeling, including requests to make available additional authorized labeling specific to an authorized distributor. Such additional labeling may use another name for the product but otherwise must be consistent with the authorized labeling, and not exceed the terms of authorization of this letter. Any request for changes to this EUA should be submitted to the Division of Microbiology (DMD)/Office of Health Technology 7 (OHT7)-Office of In Vitro Diagnostics and Radiological Health (OIR)/Office of Product Evaluation and Quality (OPEQ)/Center for Devices and Radiological Health (CDRH) and require appropriate authorization from FDA prior to implementation.

Q. You must evaluate the analytical limit of detection and assess traceability[6] of your product with any FDA-recommended reference material(s). After submission to and concurrence with the data by FDA, you must update your labeling to reflect the additional testing. Such labeling updates will be made in consultation with, and require concurrence of, DMD/OHT7-OIR/OPEQ/CDRH.

R. You must submit to FDA a summary report within 30 calendar days of authorization summarizing the results of any testing performed using specimens collected with Exact Sciences Nasal Swab Home Collection Kit for use with your product during that timeframe, including how many specimens were received, how many specimens had to be rejected during accession and the main reasons for rejection, and the positivity rate for specimens collected with the authorized self-collection kit.

S. You must have a process in place to track adverse events, including any occurrence of false results with your product, including with the Exact Sciences Nasal Swab Home Collection Kit and report any such events to FDA pursuant to 21 CFR Part 803. Serious adverse events, especially unexpected biosafety concerns, should immediately be

[6] Traceability refers to tracing analytical sensitivity/reactivity back to an FDA-recommended reference material. FDA may request, for example, that you perform this study in the event that we receive reports of adverse events concerning your product.

reported to DMD/OHT7-OIR/OPEQ/CDRH (via email: CDRH-EUA-Reporting@fda.hhs.gov).

T. You must collect information on the performance of your product and report to DMD/OHT7-OIR/OPEQ/CDRH (via email: CDRH-EUA-Reporting@fda.hhs.gov) any suspected occurrence of false positive or false negative results and significant deviations from the established performance characteristics of your product of which they become aware.

U. All laboratory personnel using your product must be appropriately trained in RT-PCR techniques and use appropriate laboratory and personal protective equipment when handling this kit, and use your product in accordance with the authorized labeling.

Conditions Related to Printed Materials, Advertising and Promotion

V. All descriptive printed matter, including advertising and promotional materials, relating to the use of your product shall be consistent with the authorized labeling, as well as the terms set forth in this EUA and meet the requirements set forth in section 502(a), (q)(1), and (r) of the Act, as applicable, and FDA implementing regulations.

W. No descriptive printed matter, advertising or promotional materials relating to the use of your product may represent or suggest that this test is safe or effective for the detection of SARS-CoV-2.

X. All descriptive printed matter, advertising and promotional materials relating to the use of your product shall clearly and conspicuously state that:

- This product has not been FDA cleared or approved, but has been authorized for emergency use by FDA under an EUA for use by the authorized laboratory;
- This product has been authorized only for the detection and differentiation of nucleic acid from SARS-CoV-2, influenza A and/or influenza B not for any other viruses or pathogens; and
- The emergency use of this product is only authorized for the duration of the declaration that circumstances exist justifying the authorization of emergency use of in vitro diagnostics for detection and/or diagnosis of COVID-19 under Section 564(b)(1) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. § 360bbb-3(b)(1), unless the declaration is terminated or authorization is revoked sooner.

The emergency use of your product as described in this letter of authorization must comply with the conditions and all other terms of this authorization.

V. Duration of Authorization

This EUA will be effective until the declaration that circumstances exist justifying the authorization of the emergency use of in vitro diagnostics for detection and/or diagnosis of COVID-19 is terminated under Section 564(b)(2) of the Act or the EUA is revoked under Section 564(g) of the Act.

Sincerely,

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RADM Denise M. Hinton
Chief Scientist
Food and Drug Administration

Enclosure