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# **DRAFT GUIDANCE DOCUMENT**

## How to Complete the Application for a New Medical Device Licence

**This guidance document is being distributed for comment purposes only.**



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**Health Products and Food Branch**

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<p>Our mission is to help the people of Canada maintain and improve their health.</p> <p style="text-align: right;"><i>Health Canada</i></p>	<p>The Health Products and Food Branch’s mandate is to take an integrated approach to the management of the risks and benefits to health related products and food by:</p> <ul style="list-style-type: none"><li>• minimizing health risk factors to Canadians while maximizing the safety provided by the regulatory system for health products and food; and,</li><li>• promoting conditions that enable Canadians to make healthy choices and providing information so that they can make informed decisions about their health.</li></ul> <p style="text-align: right;"><i>Health Products and Food Branch</i></p>
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41 ***Également disponible en français sous le titre :*** Ébauche de la ligne directrice - Comment  
42 remplir une nouvelle demande d’homologation pour un instrument médical

43

44 **FOREWORD**

45

46 Guidance documents are meant to provide assistance to industry and health care professionals on  
47 **how** to comply with the policies and governing statutes and regulations. They also serve to  
48 provide review and compliance guidance to staff, thereby ensuring that mandates are  
49 implemented in a fair, consistent and effective manner.

50

51 Guidance documents are administrative instruments not having force of law and, as such, allow  
52 for flexibility in approach. Alternate approaches to the principles and practices described in this  
53 document **may be** acceptable provided they are supported by adequate scientific justification.  
54 Alternate approaches should be discussed in advance with the relevant program area to avoid the  
55 possible finding that applicable statutory or regulatory requirements have not been met.

56

57 As a corollary to the above, it is equally important to note that Health Canada reserves the right  
58 to request information or material, or define conditions not specifically described in this  
59 guidance, in order to allow the Department to adequately assess the safety, efficacy or quality of  
60 a therapeutic product. Health Canada is committed to ensuring that such requests are justifiable  
61 and that decisions are clearly documented.

62

63 This document should be read in conjunction with the accompanying notice and the relevant  
64 sections of other applicable guidance documents.

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Document Change Log			
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Change	Location (section, paragraph)	Nature of and/or Reason for Change
1	Full Document	Rewritten to add clarity and conform to Good Guidance Practices.
2	Item 6	Removed reference to attestation of labelling requirements
3	Item 7	This section has been updated to indicate that the intended use statement on the application must be verbatim as it appears on the device labeling. It also requests a red lined and a clean electronic copy of the latest version of the IFU/PI be submitted with the application if there are any changes.
4	Item 11	The Radiation Emitting Medical Devices section has been added to provide manufacturers with more information about declaring a device that emits radiation.
5	Item 13	This section has been revised to provide Information on how to declare if your device contains nano-scale material.
6	Item 15	This section has been revised to include the requirement for a <i>Declaration of Conformity</i> form to accompany Class III and IV applications.
7	Item 16	Added reference to applicable guidance documents on labelling.

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## 1.0 INTRODUCTION

Medical devices are classified into one of four classes by means of classification rules, where Class I represents the lowest risk and Class IV represents the highest risk.

Class II, III and IV medical devices must be licenced prior to importation or sale in Canada.

A licence is issued to the device manufacturer for each application submitted, provided the requirements of the *Medical Devices Regulations* (MDR) are met.

### 1.1 Policy Objective

To provide information to manufacturers and regulatory correspondents on how to complete an application form for a new medical device licence.

### 1.2 Scope and Application

This guidance applies to all new Class II, III and IV medical devices.

### 1.3 Definitions

BISPHENOL A [BPA; Phenol, 4,4' -(1-methylethylidene)bis-] is an industrial raw material that was identified for screening assessment under the *Canadian Environmental Protection Act* (CEPA, 1999). BPA is primarily used as a raw material in the production of polycarbonates and epoxy resins. BPA or BPA-based polymers are used in the manufacture of a variety of medical devices, including resin-based dental composite restorative and prosthodontic materials, dental sealants, hemodialyzers, hemofilters and blood oxygenators. Please refer to Table 1 for the chemical identity of BPA, including its Chemical Abstracts Services (CAS) Registry Number and synonyms.

DEVICE ID refers to the device identification number assigned by Health Canada.

DI(2-ETHYLHEXYL)PHTHALATE (DEHP) is a chemical additive that is used to make polyvinyl chloride (PVC) soft, flexible and kink resistant. PVC plasticized with DEHP is currently used in a variety of medical devices, including blood bags, catheters, intravenous tubing and medical gloves. **A medical device shall be considered to contain DEHP if the amount of DEHP in the device is more than or equal to 0.1% of the device's mass [that is (i.e.),  $\geq 0.1\%$  w/w].** Please refer to Table 2 for the chemical identity of DEHP, including its Chemical Abstracts Services (CAS) Registry Number, synonyms and known trade names.

MEDICAL DEVICE means a device within the meaning of the Act, but does not include any device that is intended for use in relation to animals.

126 IDENTIFIER means a unique series of letters or numbers or any combination of these or a bar code  
127 that is assigned to a medical device by the manufacturer and that identifies it and distinguishes it from  
128 similar devices. Examples of an identifier for a device are a catalogue, model or part number.

129  
130 LICENCE APPLICATION TYPE means the application can be submitted either as a single device, a  
131 system, a test kit, a device group, a device family or a device group family. The term “test kit” applies  
132 only to *in vitro* diagnostic devices. For more information on licence application types, refer to the  
133 *Guidance for the Interpretation of Sections 28 to 31: Licence Application Type*, which is available on  
134 the website.

135  
136 MANUFACTURER means a person who sells the medical device under their own name, or under a  
137 trade-mark, design, trade name or other name or mark owned or controlled by the person, and who is  
138 responsible for designing, manufacturing, assembling, processing, labelling, packaging, refurbishing  
139 or modifying the device, or for assigning to it a purpose, whether those tasks are performed by that  
140 person or on their behalf. “Person” includes a partnership, firm or association.

141  
142 NEAR PATIENT *IN VITRO* DIAGNOSTIC DEVICE means an *in vitro* diagnostic device (IVDD)  
143 that is intended for use outside a laboratory, for testing at home or at the point of care, such as a  
144 pharmacy, a health care professional’s office or the bedside.

145

## 146 **2.0 GUIDANCE FOR IMPLEMENTATION**

147

### 148 **2.1 When is a New Medical Device Licence Required**

149

150 Under the *MDR*, a new device licence is a pre-market requirement for:

151

- 152 a) any new device that was imported or sold in Canada after July 1, 1998;
- 153  
154 b) a licensed device whose licence type is being modified from the type in the original licence  
155 application, as defined in the *Guidance for the Interpretation of Sections 28 to 31: Licence*  
156 *Application Type*;
- 157  
158 c) a device previously authorized for sale for investigational testing, or under the special access  
159 provisions of the *MDR*, that is now to be offered for general sale.

### 160 **2.2 The Medical Device Licence Application Form**

161

#### 162 **Device Classification**

163

164 The rules to classify medical devices are outlined in Schedule 1 (Parts 1 and 2) of the *MDR*. Part 1 of  
165 Schedule 1 addresses medical devices other than *in vitro* diagnostics and Part 2 addresses *in vitro*  
166 diagnostic devices. For further guidance on the classification of medical devices, refer to the

167 documents *Guidance for the Risk-based Classification System*, or *Guidance for the Risk-based*  
168 *Classification System of In Vitro Diagnostic Devices*. **After ascertaining the class of the device, use**  
169 **the appropriate application form:**

170  
171 **Draft New Class II Medical Device Licence Application Form** ([http://www.hc-sc.gc.ca/dhp-](http://www.hc-sc.gc.ca/dhp-mps/consultation/md-im/licapp_demhom_cla2_draft_ebauche-eng.php)  
172 [mps/consultation/md-im/licapp\\_demhom\\_cla2\\_draft\\_ebauche-eng.php](http://www.hc-sc.gc.ca/dhp-mps/consultation/md-im/licapp_demhom_cla2_draft_ebauche-eng.php));  
173 **New Class III Medical Device Licence Application Form** ([http://www.hc-sc.gc.ca/dhp-mps/md-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/form/licapp_demhom_cla3-eng.php)  
174 [im/applic-demande/form/licapp\\_demhom\\_cla3-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/form/licapp_demhom_cla3-eng.php)); **or**  
175 **New Class IV Medical Device Licence Application Form** ([http://www.hc-sc.gc.ca/dhp-mps/md-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/form/licapp_demhom_cla4-eng.php)  
176 [im/applic-demande/form/licapp\\_demhom\\_cla4-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/form/licapp_demhom_cla4-eng.php))

177  
178 The document entitled *Keyword Index to Assist Manufacturers in Verifying the Class of Medical*  
179 *Devices* ([http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/keyword\\_motscles2-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/keyword_motscles2-eng.php)  
180 [eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/keyword_motscles2-eng.php)) is an alphabetical listing of all the short descriptors for devices that are entered into the  
181 Medical Devices System (MDS). The document contains synonyms and industry words that are  
182 commonly used to describe these devices, along with their respective classifications.

183  
184 **Item 1: NAME OF THE DEVICE (as it appears on the label)**

185  
186 The device name indicated for a system, medical device family or a medical device group family  
187 must appear, at least in part, on the label of each member device. Only one name is to be entered in  
188 Item 1. The device name on the application form will be used as the licence name unless the  
189 application is for a family of medical devices. In this case, a generic licence name that covers all  
190 possible trade names [for example (e.g.) urinary catheters], should be indicated. The licence name  
191 usually reflects the types of devices that are contained within the licence and sometimes may vary  
192 from the device name.

193  
194 **Item 2: MANUFACTURER INFORMATION (as it appears on the label)**

195  
196 This is the name and address of the manufacturer of the device and the name and address to which the  
197 licence will be issued. A complete address must include: name and title of a contact person; Company  
198 ID (if known, this number is assigned by Health Canada); telephone number, Fax number and e-mail  
199 address of the contact person; street name and number or Post Office Box; city, province or state;  
200 postal or zip code; and country.

201  
202 **Item 3: REGULATORY CORRESPONDENT INFORMATION**

203  
204 All regulatory correspondence will be sent to this address (if different from Item 2), but the licence  
205 will be issued to the Manufacturer. A medical device licence application can be submitted by a third  
206 party; the mailing address and name of this authorized Regulatory Correspondent will be entered  
207 here.

208

209 **Item 4: INVOICING INFORMATION**

210

211 Enter the name, address and contact information of the party which will receive all invoicing and  
212 billing information; it may be the same as Item 2 or 3, or it may be a third party.

213

214 **Item 5: QUALITY MANAGEMENT SYSTEM CERTIFICATE**

215

216 Enter the certificate number and the name of the recognized registrar that has issued the certificate. A  
217 legible copy of the certificate must accompany each medical device licence application. For more  
218 information on the content and acceptance of quality management system certificates, refer to  
219 *GD207: Guidance on the content of ISO 13485 quality management system certificates issued by*  
220 *Health Canada recognized Registrars*. The certificate must be issued by a Health Canada recognized  
221 registrar. Refer to the Health Canada Web site for a current list of recognized registrars.

222

223 **Item 6: ATTESTATIONS**

224

225 ***Class II Licence Applications***

226

227 **Attestation of Compliance with the Applicable Requirements of sections 10 to 20**

228

229 Manufacturers of Class II medical devices must attest that they have objective evidence establishing  
230 that they are compliant with section 10, subsections 11(1) and 12(1) and sections 13 to 20 of the  
231 *MDR*.

232

233 In the case of decorative contact lenses, manufacturers must attest that they have objective evidence  
234 establishing that they meet section 10, subsections 11(2) and 12(2) and sections 13 to 17 of the *MDR*.

235

236 **Attestation of Investigational Testing for *in vitro* diagnostic devices (IVDDs)**

237

238 Manufacturers of Class II near patient IVDDs must attest here that investigational testing of their  
239 device was conducted using human subjects representative of the intended patients and under  
240 conditions similar to the intended conditions of use of the device.

241

242 **Near Patient Attestation**

243

244 Manufacturers are to attest here that the device(s) is NOT a near patient IVDD.

245

246 **Signature**

247

248 The manufacturer of the device must sign and date the application.

249

250

251 **Class III and IV Licence Applications**

252  
253 **Attestation Section**

254  
255 Along with the application form, a manufacturer must submit the information requested in section 32,  
256 subsection (3) or (4) of the *MDR* is complete. Refer also to the document *Guidance on supporting*  
257 *evidence to be provided for new and amended licence applications for Class III and Class IV medical*  
258 *devices, not including In Vitro Diagnostic Devices (IVDDs)* ([http://www.hc-sc.gc.ca/dhp-mps/md-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_data_im_ld_donnees_ciii_civ-eng.php)  
259 [im/applic-demande/guide-ld/md\\_gd\\_data\\_im\\_ld\\_donnees\\_ciii\\_civ-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_data_im_ld_donnees_ciii_civ-eng.php)) and *Guidance*  
260 *Document: Preparation of Summary Technical Documentation (STED)-based Class III and Class IV*  
261 *Premarket Medical Device Licence Applications, not including In Vitro Diagnostic Devices (IVDDs)*  
262 ([http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md\\_gd\\_im\\_ld\\_sted-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_im_ld_sted-eng.php)) and  
263 the *Guidance Document – Preparation of a Premarket Review Document for Class III and Class IV*  
264 *Device Licence Applications*.

265  
266 **Signature**

267  
268 The manufacturer of the device must sign and date the application.

269  
270 **Item 7: PURPOSE OR INTENDED USE OF DEVICE**

271  
272 Information provided for Item 7 is crucial to establishing the appropriate device class and should  
273 include the following:

- 274 • intended purpose, indications for use, conditions for which the device is used (the intended  
275 use statement should be verbatim as it appears on the device labelling);
- 276 • patient population for which the device is intended including age range, if applicable, and  
277 specific diagnoses;
- 278 • anatomical and physiological particulars related to the patient using the device, if applicable;
- 279 • whether or not the device uses an energy source and whether energy is transferred to the  
280 patient.
- 281 • the document, document version number and the date where the formal intended use appears.

282  
283  
284 Both a red lined and clean electronic copy of the latest version of the Information for Use/Package  
285 Insert (IFU/PI) should be submitted with the application if there are any changes.

286  
287

288 **Item 8: LICENCE APPLICATION TYPE**

289

290 A manufacturer may apply for the following types of device licence:

291

292 ***A single medical device:***

293

294 A single medical device is defined by a unique device name, is sold as a distinctly packaged entity  
295 and does not meet the criteria for a medical device group, a medical device family, a medical device  
296 group family, a system, or a test kit. It may be offered in a range of package sizes. Examples include:  
297 an acupuncture needle, an aneurysm clip, a larynx prosthesis or dental cement.

298

299 ***A medical device family:***

300

301 A medical device family is a group of medical devices that are made by the same manufacturer, that  
302 differ only in shape, colour, flavour or size, that have the same design and manufacturing process and  
303 that have the same intended use. Examples include: intra vascular catheters, insulin syringes, feeding  
304 tubes or vascular access grafts.

305

306 ***A medical device group:***

307

308 A medical device group is comprised of a collection of medical devices, such as a procedure pack or  
309 tray, that is sold under a single name. Examples include: a denture repair kit, a declotting tray, a  
310 parenteral administration kit or disposable circumcision tray.

311

312 ***A medical device group family:***

313

314 A medical device group family is a collection of medical device groups that are made by the same  
315 manufacturer, that have the same generic name specifying their intended use, and that differ only in  
316 the number and combination of products that comprise each group. Examples include: IV  
317 administration sets, dressing trays, contact lens care kits or irrigation trays.

318

319 ***System:***

320

321 A system is a medical device comprising a number of components or parts intended to be used  
322 together to fulfil some or all of the device's intended functions, and that is sold under a single name  
323 and are manufactured by the same manufacturer. Examples include hip prostheses, knee prostheses or  
324 an ultrasonic imaging system.

325

326 ***Test Kit:***

327

328 A test kit is an *in vitro* diagnostic device that consists of reagents or articles, or any combination of  
329 these, and that is intended to be used to conduct a specific test.

330  
331 For further assistance in ascertaining the appropriate licence Application type for your product,  
332 consult the *Guidance for the Interpretation of Sections 28 to 31: Licence Application Type*.

333  
334 **Item 9: PLACE OF USE**

335  
336 Indicate on the application form by checking the appropriate boxes.

337  
338 **Item 10: MEDICAL DEVICES CONTAINING DRUGS**

339  
340 **Non-IVD Devices Containing Drugs**

341  
342 Do not complete this item if the device is an IVDD. If the device contains a drug or drug substance,  
343 **which includes a pharmaceutical or biological drug, or a natural health product**, specify its brand  
344 or trade name, active ingredient(s), manufacturer, and its Drug Identification Number (DIN) or  
345 Natural Product Number (NPN). Health Canada's *Drug/Medical Device Combination Products*  
346 *Policy* ([http://www.hc-sc.gc.ca/dhp-mps/prodpharma/applic-demande/pol/combo\\_mixte\\_pol\\_2006-](http://www.hc-sc.gc.ca/dhp-mps/prodpharma/applic-demande/pol/combo_mixte_pol_2006-eng.php)  
347 [eng.php](http://www.hc-sc.gc.ca/dhp-mps/prodpharma/applic-demande/pol/combo_mixte_pol_2006-eng.php)) addresses the regulation of products that are comprised of both a drug and a medical device.

348  
349 **IVDD Test Kits containing Controlled Substances**

350  
351 Please note that if the device is a test kit containing a substance listed in Schedule I, II, III or IV of  
352 the Controlled Drugs and Substances Act (CDSA), it would need to be registered with the Office of  
353 Controlled Substances. For information on how to apply for a Test Kit Number (T. K. Number),  
354 please refer to the Office of Controlled Substances Guidance Document entitled *Registration of a*  
355 *Test Kit for Medical, Laboratory, Industrial, Educational or Research Purposes* or contact the Office  
356 of Controlled Substances at (613) 952-2219 or (613) 957-1063.

357  
358 **Item 11: RADIATION EMITTING MEDICAL DEVICES**

359  
360 In this section, please indicate whether or not any of the devices contained in this application contain  
361 radiation emitting devices. A radiation emitting device is defined as any device that is capable of  
362 producing and emitting electromagnetic or acoustic radiation, and any component of or accessory to  
363 such a device.

364  
365 Please note that if any of the devices listed on this application emit radiation, you may also be  
366 required to meet the requirements of the Radiation Emitting Devices (RED) Act. Please contact the  
367 Consumer and Clinical Radiation Protection Bureau to discuss these requirements at  
368 **ccrpb-pcrpcc@hc-sc.gc.ca** or **613-954-6699**.

369  
370

371 **Item 12: DEVICE HISTORY**

372  
373 Indicate if the device has been previously authorized for sale in Canada under the investigational  
374 testing or special access provisions of the *MDR*. If the device has been previously authorized for sale  
375 under the investigational testing provisions of the *MDR*, it will have a Device Identification (ID)  
376 number. If the device had been previously authorized for sale by the special access provisions of the  
377 *MDR*, it will have an Authorization number. The appropriate number must be supplied.

378  
379 **Item 13: IDENTIFIER OF DEVICE**

380  
381 Only devices, components, parts and accessories listed on the application will be considered for  
382 licensing. Spare parts that do not represent medical devices on their own should not be listed. If  
383 additional space is required, photocopy the Item 12 page and attach it to the application form.

384  
385 For a **single device**, enter the name of the device in the first column and enter the identifier for the  
386 device (bar code, catalogue, model or part number) in the second column. If the device contains  
387  $\geq 0.1\%$  by mass of DEHP, check the third column. If the device is manufactured from raw materials  
388 containing or derived from BPA, check the fourth column.

389  
390 For a **medical device group**, a **medical device family**, or a **medical device group family**, the names  
391 of the constituent members must be listed in the first column. Associated identifiers must be entered  
392 in the second column. If a constituent member contains  $\geq 0.1\%$  by mass of DEHP, check the  
393 associated row in the third column. If a constituent member is manufactured from raw materials  
394 containing or derived from BPA, check the associated row in the fourth column.

395  
396 Please refer to the *Policy Statement on Health Canada's Working Definition for Nanomaterial* found  
397 on the Health Canada website at <http://www.hc-sc.gc.ca/sr-sr/pubs/nano/pol-eng.php>

398  
399 Although the working definition indicates that a nanomaterial is a material within 1 to 100  
400 nanometers in at least one dimension, for the purposes of medical device licensing, the Medical  
401 Devices Bureau is requesting notification for devices containing nano-scale materials with a particle  
402 size between 1 and 1000 nanometers.

403  
404 Please identify the specific type of nano-scale material that is present in each device listed on the  
405 licence application. Examples of a specific type of nano-scale material could include nano titanium  
406 dioxide, nano silver, quantum dots, nano polymers, nano glasses, nano ceramics, carbon nanotubes  
407 and nano-fibres.

408  
409 The last column is for Health Canada (HC) use only.

410  
411

412 Refer to the definition of “BPA”, “DEHP” and “identifier” in section 3 of this guidance document.  
413 **Please note that it is the manufacturer’s responsibility to determine whether a medical device**  
414 **contains  $\geq 0.1\%$  w/w of DEHP or is manufactured from raw materials containing or derived**  
415 **from BPA.** The absence of a check mark in the third and fourth column in line with a specific device  
416 will be taken to indicate that the device does not contain  $\geq 0.1\%$  w/w of DEHP or is not manufactured  
417 from raw materials containing or derived from BPA.

418

#### 419 **Item 14: COMPATIBILITY OF INTERDEPENDENT DEVICES**

420

421 For a device intended to be used with another Class II, III, or IV device, a list of all medical devices  
422 that this device is intended to be used or function with (including their licence number), is required.  
423 This is intended to be for system components from the same manufacturer.

424

425 An important requirement in demonstrating compliance with the applicable requirements of sections  
426 10 to 20 of all medical devices intended to be used together is compliance with section 18 of the  
427 *MDR*. Section 18 requires that when medical devices are intended to be used with other medical  
428 devices, they must be compatible with every other medical device with which they interact, and don’t  
429 adversely affect the performance of the combination of medical devices.

430

431 Failure to submit compatibility information for interdependent medical devices may lead to delays in  
432 the pre-market review of device licence applications while the Medical Devices Bureau requests the  
433 necessary information and manufacturers assemble and submit it for review.

434

435 Manufacturers are therefore reminded that the submission of evidence of compatibility for inter-  
436 dependent medical devices is a requirement under the *MDR*.

437

438 See also *Notice to Industry – Licensing Requirements of Interdependent Medical Devices (April 30,*  
439 *2002)* ([http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/notice\\_avis\\_syst\\_req\\_eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/notice_avis_syst_req_eng.php)).

440

#### 442 **Item 15: LIST OF RECOGNIZED STANDARDS COMPLIED WITH IN THE** 443 **MANUFACTURE OF THE DEVICE**

444

445 Refer to the documents on *Recognition and Use of Standards under the Medical Devices Regulations*.  
446 Health Canada uses these documents to identify standards that manufacturers may utilize in  
447 demonstrating that their devices comply with the applicable requirements of sections 10 to 20 of the  
448 *MDR*. Under Section 35 of the *MDR*, the Medical Devices Bureau may also request the manufacturer  
449 to provide additional evidence of compliance with the applicable requirements of sections 10 to 20.  
450 Note that standards not contained in the Policy may also be identified by manufacturers in support of  
451 the applicable requirements of sections 10 to 20. However, these standards should not be identified  
452 in item 15 of the application form. Instead, for a Class II medical device, they should be referenced  
453 by way of a letter accompanying the licence application, and for a Class III or IV medical device,

454 they should be listed in the information submitted to demonstrate compliance with the applicable  
455 requirements of sections 10 to 20.

456  
457 For Class II licence applications, the manufacturer is to list the recognized standards complied with,  
458 or attest that they possess objective evidence that the device either meets an equivalent or better  
459 standard or has been tested and alternate evidence of compliance with the applicable requirements of  
460 sections 10 to 20 exists.

461  
462 For Class III and IV licence applications, the manufacturer must respond “YES” where applicable  
463 and provide appropriate documentation:

- 464
- 466 • if the device conforms with recognized standards, the manufacturer must provide a  
467 *Declaration of Conformity* form indicating the standard(s);
  - 468 • if the device does **not** conform with the listed recognized standards, but instead meets  
469 an equivalent or better standard, the manufacturer must provide a *Declaration of*  
470 *Conformity* form to indicate these equivalent or better standards; and
  - 471 • if the device does **not** conform with the listed recognized standards **nor** meet an  
472 equivalent or better standard, the manufacturer shall include detailed information as  
473 evidence of compliance with the applicable requirements of sections 10 to 20.
- 474

475 If the manufacturer does not comply with any of these three options, a licence will not be issued.

476

### 477 *Class II Licence Applications*

478

#### 479 **Item 16: REVIEW DOCUMENTS**

480

481 Indicate which review documents listed on the table are included as attachments to the application.  
482 For details regarding content and format of labelling material for Class II medical devices, consult  
483 *Draft Guidance for the Labelling of Medical Devices* and *Guidance for the Labelling of In Vitro*  
484 *Diagnostic Devices*.

485

486 **Items 17 to 25:** These items pertain to the payment of fees. Instructions are provided on the form  
487 itself. The instructions given for each item must be carefully followed to avoid delays in application  
488 processing. Consult also the *Guidance Document on Cost Recovery – Fees for the Review of Medical*  
489 *Device Licence Applications* ([http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/guidedoc\\_feesmd\\_dcorient\\_fraisim-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/guidedoc_feesmd_dcorient_fraisim-eng.php)).

491

492

493 **Class III Licence Applications**

494  
495 **Item 16: REVIEW DOCUMENTS**

496  
497 Indicate which review documents listed on the table are included as attachments to the application.  
498 For details regarding content and format of review documents for Class III and IV medical devices,  
499 consult the *Guidance on supporting evidence to be provided for new and amended licence*  
500 *applications for Class III and Class IV medical devices, not including In Vitro Diagnostic Devices*  
501 *(IVDDs)* ([http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_data_im_ld_donnees_ciii_civ-eng.php)  
502 [ld/md\\_gd\\_data\\_im\\_ld\\_donnees\\_ciii\\_civ-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_data_im_ld_donnees_ciii_civ-eng.php)) and *Guidance Document: Preparation of Summary*  
503 *Technical Documentation (STED)-based Class III and Class IV Premarket Medical Device Licence*  
504 *Applications, not including In Vitro Diagnostic Devices (IVDDs)* ([http://www.hc-sc.gc.ca/dhp-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_im_ld_sted-eng.php)  
505 [mps/md-im/applic-demande/guide-ld/md\\_gd\\_im\\_ld\\_sted-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_im_ld_sted-eng.php)).  
506

507 **Items 17 to 26:** These items pertain to the payment of fees. Instructions are provided on the form  
508 itself. The instructions given for each item must be carefully followed to avoid delays in the  
509 processing of your application. Consult also the *Guidance Document on Cost Recovery – Fees for the*  
510 *Review of Medical Devices Regulations* (available on the website at [http://www.hc-sc.gc.ca/dhp-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/guidedoc_feesmd_dcorient_fraisim-eng.php)  
511 [mps/md-im/applic-demande/guide-ld/guidedoc\\_feesmd\\_dcorient\\_fraisim-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/guidedoc_feesmd_dcorient_fraisim-eng.php)).  
512

513 **Class IV Licence Applications**

514  
515 **Item 16: REVIEW DOCUMENTS**

516 Indicate which review documents listed on the table are included as attachments to your application.  
517 For details regarding content and format of review documents, consult the *Guidance on supporting*  
518 *evidence to be provided for new and amended licence applications for Class III and Class IV medical*  
519 *devices, not including In Vitro Diagnostic Devices (IVDDs)* ([http://www.hc-sc.gc.ca/dhp-mps/md-](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_data_im_ld_donnees_ciii_civ-eng.php)  
520 [im/applic-demande/guide-ld/md\\_gd\\_data\\_im\\_ld\\_donnees\\_ciii\\_civ-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_data_im_ld_donnees_ciii_civ-eng.php)) and *Guidance*  
521 *Document: Preparation of Summary Technical Documentation (STED)-based Class III and Class IV*  
522 *Premarket Medical Device Licence Applications, not including In Vitro Diagnostic Devices (IVDDs)*  
523 ([http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md\\_gd\\_im\\_ld\\_sted-eng.php](http://www.hc-sc.gc.ca/dhp-mps/md-im/applic-demande/guide-ld/md_gd_im_ld_sted-eng.php)).

524 **Item 17: DEVICES CONTAINING BIOLOGICAL MATERIAL**

525  
526 This section of the application form must be completed in detail. If additional space is required,  
527 photocopy the page and attach it to the application form.  
528  
529

530 **Items 18 to 27:** These items pertain to the payment of fees. Instructions are provided on the form  
531 itself. The instructions given for each item must be carefully followed to avoid delays in the  
532 processing of your application. Consult also the *Guidance Document on Cost Recovery - Recovery -*  
533 *Fees for the Review of Medical Device Licence Applications* ([http://hc-sc.gc.ca/dhp-mps/md-  
535 im/applic-demande/guide-ld/guidedoc\\_feesmd\\_docorient\\_fraisim-eng.php](http://hc-sc.gc.ca/dhp-mps/md-<br/>534 im/applic-demande/guide-ld/guidedoc_feesmd_docorient_fraisim-eng.php)).

535

### 536 **2.3 Before Submitting a Medical Device Licence Application**

537

538 Before submitting a new medical device licence application, **ensure that:**

539

540 a) The device licence application form is complete. The manufacturer may choose to have a  
541 Regulatory Correspondent complete and submit the application on their behalf.

542

543 b) The manufacturer signs the application form, certifying that all the information in the  
544 application is accurate and complete. A faxed copy of the manufacturer's signature is  
545 acceptable.

546

547 c) The applicable licence fee for a Class II, III or IV medical device is submitted with the  
548 application.

549

550 d) The quality management system certificate is submitted with the application.

551

552 e) The Licence Application Disclosure Request is submitted with the application.

553

554 f) The manufacturer, or their Regulatory Correspondent, submits the application and any  
555 supporting documentation to:

556

557 Manager, Device Licensing Division, Medical Devices Bureau

558 Therapeutic Products Directorate

559 Health Canada

560 2934 Baseline Road, Tower B

561 Address Locator 3403A

562 Ottawa, Ontario

563 K1A 0K9

564

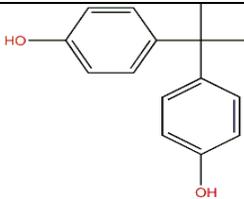
565

566 **3.0 REFERENCES**

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- 587
- 588

589 **APPENDIX 1 – Table 1. Chemical Identity Of Bisphenol A**

590

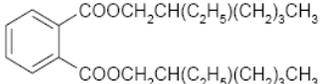
CHARACTERISTIC	INFORMATION
Chemical Abstracts Services (CAS) Registry Number	80-05-7
Domestic Substances List name	phenol, 4,4' -(1-methylethylidene)bis-
National Chemical Inventories (NCI) names <sup>1</sup>	phenol, 4,4'-(1-methylethylidene)bis- (TSCA, PICCS, ASIA-PAC) 4,4'-isopropylidenediphenol (EINECS, PICCS) 2,2-Bis(4'-hydroxyphenyl) propane (ENCS) phenol, 4,4'-(1-methylethylidene)bis- (AICS, PICCS) 4,4'-(1-Methylethylidene)bisphenol (ECL) 4,4'-Bisphenol A (ECL) phenol, 4,4'-(1-methylethylidene)bis- (SWISS) bisphenol A (SWISS, PICCS) p,p'-isopropylidene diphenol (PICCS) diphenol methylethylidene (PICCS) bis[phenol], 4,4'-(1-methylethylidene)- (PICCS) bisphenol-a (PICCS) bisphenol, 4,4'-(1-methylethylidene)- (PICCS) 4,4-isopropylidene diphenyl (PICCS) 4,4'-dihydroxyphenyl-2,2-propane (PICCS) 2,2-di(4-hydroxyphenyl)propane (PICCS) 2,2-di(4-hydroxyphenyl) propane (PICCS) 2,2-bis-(4-hydroxy-phenyl)-propane (PICCS)
Other names	bisphenol A diphenylolpropane BPA
Chemical group	Discrete organics
Chemical subgroup	Phenols
Chemical formula	C <sub>15</sub> H <sub>16</sub> O <sub>2</sub>
Chemical structure	
SMILES	Oc(ccc(c1)C(c(ccc(O)c2)c2)(C)C)c1

591 <sup>1</sup>National Chemical Inventories (NCI). 2006: AICS (Australian Inventory of Chemical Substances); ASIA-PAC (Asia-Pacific Substances  
592 Lists)\_Toc173920654; ECL (Korean Existing Chemicals List); EINECS (European Inventory of Existing Commercial Chemical Substances); ENCS  
593 (Japanese Existing and New Chemical Substances); PICCS (Philippine Inventory of Chemicals and Chemical Substances); SWISS (Inventory of Newly  
594 Notified Substances and Giflist 1 - List of Toxic Substances) and TSCA (Toxic Substances Control Act Chemical Substance Inventory).

595

596  
597

**APPENDIX 2 – Table 2. Chemical Identity of Di(2-Ethylhexyl)Phthalate**

CHARACTERISTIC	INFORMATION	REFERENCE
Chemical name	di(2-ethylhexyl)phthalate	RTECS 2000
Synonyms	DEHP dioctylphthalate bis(2-ethylhexyl)phthalate	RTECS 2000
Registered trade names	Bisoflex 81 Eviplast 80 Octoil Plantinol DOP Staflex DOP	RTECS 2000
Chemical formula	C <sub>24</sub> H <sub>38</sub> O <sub>4</sub>	RTECS 2000
Chemical structure		Howard and Meylan, 1997
Identification numbers: CAS Registry Number NIOSH RTECS EPA hazardous waste OHM/TADS DOT/UN/NA/IMCO shipping HSDB NCI	117-81-7 TI0350000 U028 7216693 No data 334 C52733	Cadogan and Howick, 1996 RTECS 2000 HSDB 1990 HSDB 1990  HSDB 1990 Montgomery and Welkom, 1990

598 CAS = Chemical Abstracts Services; DOT/UN/NA/IMCO = Department of Transportation/United Nations/North America/International  
599 Maritime Dangerous Goods Code; EPA = Environmental Protection Agency; HSDB = Hazardous Substances Data Bank; NCI =  
600 National Cancer Institute; NIOSH = National Institute for Occupational Safety and Health; OHM/TADS = Oil and Hazardous  
601 Materials/Technical Assistance Data System; RTECS = Registry of Toxic Effects of Chemical Substances.