§ 876.5980 Gastrointestinal tube and accessories.

(a) Identification. A gastrointestinal tube and accessories is a device that consists of flexible or semi-rigid tubing used for instilling fluids into, withdrawing fluids from, splinting, or suppressing bleeding of the alimentary tract. This device may incorporate an integral inflatable balloon for retention or hemostasis. This generic type of device includes the hemostatic bag, irrigation and aspiration catheter (gastric, colonic, etc.), rectal catheter, stent, infant gavage set, gastrointestinal string and tubes to locate internal bleeding, double lumen tube for intestinal decompression or intubation, feeding tube, gastroenterostomy tube, Levine tube, nasogastric tube, single lumen tube with mercury weight balloon for intestinal intubation or decompression, and gastro-urological irrigation tray (for gastrointestinal use).

(b) Classification. (1) Class II (special controls). The barium enema retention catheter and tip with or without a bag that is a gastrointestinal tube and accessory is exempt from the premarket notification procedures in subpart E of this part subject to the limitations in § 876.9.

(2) Class I (general controls) for the dissolvable nasogastric feed tube guide for the nasogastric tube. The class I device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to § 876.9.


§ 876.5990 Extracorporeal shock wave lithotripter.

(a) Identification. An extracorporeal shock wave lithotripter is a device that focuses ultrasonic shock waves into the body to noninvasively fragment urinary calculi within the kidney or ureter. The primary components of the device are a shock wave generator, high voltage generator, control console, imaging/localization system, and patient table. Prior to treatment, the urinary stone is targeted using either an integral or stand-alone localization/imaging system. Shock waves are typically generated using electrostatic spark discharge (spark gap), electromagnetically repelled membranes, or piezoelectric crystal arrays, and focused onto the stone with either a specially designed reflector, dish, or acoustic lens. The shock waves are created under water within the shock wave generator, and are transferred to the patient’s body using an appropriate acoustic interface. After the stone has been fragmented by the focused shock waves, the fragments pass out of the body with the patient’s urine.

(b) Classification. Class II (special controls) (FDA guidance document: “Guidance for the Content of Premarket Notifications (510(k))’s for Extracorporeal Shock Wave Lithotripters Indicated for the Fragmentation of Kidney and Ureteral Calculi.”)

[65 FR 48612, Aug. 9, 2000]
Subpart E—Surgical Devices

§ 878.4014 Nonresorbable gauze/sponge for external use.
§ 878.4015 Hydrophilic wound dressing.
§ 878.4020 Occlusive wound dressing.
§ 878.4022 Hydrogel wound dressing and burn dressing.
§ 878.4040 Surgical apparel.
§ 878.4100 Organ bag.
§ 878.4160 Surgical camera and accessories.
§ 878.4200 Introduction/drainage catheter and accessories.
§ 878.4300 Implantable clip.
§ 878.4320 Removable skin clip.
§ 878.4350 Cryosurgical unit and accessories.
§ 878.4380 Drape adhesive.
§ 878.4390 Drape adhesive.
§ 878.4400 Electrosurgical cutting and coagulation device and accessories.
§ 878.4440 Eye pad.
§ 878.4450 Nonresorbable gauze for internal use.
§ 878.4460 Surgeon’s glove.
§ 878.4470 Surgeon’s gloving cream.
§ 878.4480 Absorbable powder for lubricating a surgeon’s glove.
§ 878.4490 Absorbable hemostatic agent and dressing.
§ 878.4493 Absorbable poly(glycolide/L-lactide) surgical suture.
§ 878.4495 Stainless steel suture.
§ 878.4520 Polytetrafluoroethylene injectable.
§ 878.4580 Surgical lamp.
§ 878.4630 Ultraviolet lamp for dermatologic disorders.
§ 878.4635 Ultraviolet lamp for tanning.
§ 878.4660 Skin marker.
§ 878.4680 Nonpowered, single patient, portable suction apparatus.
§ 878.4700 Surgical microscope and accessories.
§ 878.4730 Surgical skin degreaser or adhesive tape solvent.
§ 878.4760 Implantable staple.
§ 878.4765 Removable skin staple.
§ 878.4780 Powered suction pump.
§ 878.4900 Manual surgical instrument for general use.
§ 878.4910 Laser surgical instrument for use in general and plastic surgery and in dermatology.
§ 878.4920 Surgical instrument motors and accessories/attachments.
§ 878.4930 Absorbable surgical gut suture.
§ 878.4950 Suture retention device.
§ 878.4950 Manual operating table and accessories and manual operating chair and accessories.
§ 878.4960 Operating tables and accessories and operating chairs and accessories.
§ 878.5000 Nonabsorbable poly(ethylene terephthalate) surgical suture.
§ 878.5010 Nonabsorbable polypropylene surgical suture.

Subpart F—Therapeutic Devices

§ 878.5070 Air-handling apparatus for a surgical operating room.
§ 878.5030 Needle-type epilator.
§ 878.5360 Tweezer-type epilator.
§ 878.5650 Topical oxygen chamber for extremities.
§ 878.5900 Nonpneumatic tourniquet.
§ 878.5910 Pneumatic tourniquet.

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l.

Source: 53 FR 23872, June 24, 1988, unless otherwise noted.

Subpart A—General Provisions

§ 878.1 Scope.

(a) This part sets forth the classification of general and plastic surgery devices intended for human use that are in commercial distribution.

(b) The identification of a device in a regulation in this part is not a precise description of every device that is, or will be, subject to the regulation. A manufacturer who submits a premarket notification submission for a device under part 807 cannot show merely that the device is accurately described by the section title and identification provision of a regulation in this part, but shall state why the device is substantially equivalent to other devices, as required by §807.87 of this chapter.

(c) To avoid duplicative listings, a general and plastic surgery device that has two or more types of uses (e.g., used both as a diagnostic device and as a therapeutic device) is listed in one subpart only.

(d) References in this part to regulatory sections of the Code of Federal Regulations are to chapter I of title 21 unless otherwise noted.

§ 878.3 Effective dates of requirement for premarket approval.

A device included in this part that is classified into class III (premarket approval) shall not be commercially distributed after the date shown in the
regulation classifying the device unless the manufacturer has an approval under section 515 of the act (unless an exemption has been granted under section 520(g)(2) of the act). An approval under section 515 of the act consists of FDA’s issuance of an order approving an application for premarket approval (PMA) for the device or declaring completed a product development protocol (PDP) for the device.

(a) Before FDA requires that a device commercially distributed before the enactment date of the amendments, or a device that has been found substantially equivalent to such a device, has an approval under section 515 of the act, FDA must promulgate a regulation under section 515(b) of the act requiring such approval, except as provided in paragraphs (b) and (c) of this section. Such a regulation under section 515(b) of the act shall not be effective during the grace period ending on the 90th day after its promulgation or on the last day of the 30th full calendar month after the regulation that classifies the device into class III is effective, whichever is later. See section 501(f)(2)(B) of the act. Accordingly, unless an effective date of the requirement for premarket approval is shown in the regulation for a device classified into class III in this part, the device may be commercially distributed without FDA’s issuance of an order approving a PMA or declaring completed a PDP for the device. If FDA promulgates a regulation under section 515(b) of the act requiring premarket approval for a device, section 501(f)(1)(A) of the act applies to the device.

(b) Any new, not substantially equivalent, device introduced into commercial distribution on or after May 28, 1976, including a device formerly marketed that has been substantially altered, is classified by statute (section 513(f) of the act) into class III without any grace period and FDA must have issued an order approving a PMA or declaring completed a PDP for the device before the device is commercially distributed unless it is reclassified. If FDA knows that a device being commercially distributed may be a “new” device as defined in this section because of any new intended use or other reasons, FDA may codify the statutory classification of the device into class III for such new use. Accordingly, the regulation for such a class III device states that as of the enactment date of the amendments, May 28, 1976, the device must have an approval under section 515 of the act before commercial distribution.

(c) A device identified in a regulation in this part that is classified into class III and that is subject to the transitional provisions of section 520(l) of the act is automatically classified by statute into class III and must have an approval under section 515 of the act before being commercially distributed. Accordingly, the regulation for such a class III transitional device states that as of the enactment date of the amendments, May 28, 1976, the device must have an approval under section 515 of the act before commercial distribution.

§ 878.9 Limitations of exemptions from section 510(k) of the Federal Food, Drug, and Cosmetic Act (the act).

The exemption from the requirement of premarket notification (section 510(k) of the act) for a generic type of class I or II device is only to the extent that the device has existing or reasonably foreseeable characteristics of commercially distributed devices within that generic type or, in the case of in vitro diagnostic devices, only to the extent that misdiagnosis as a result of using the device would not be associated with high morbidity or mortality. Accordingly, manufacturers of any commercially distributed class I or II device for which FDA has granted an exemption from the requirement of premarket notification must still submit a premarket notification to FDA before introducing or delivering for introduction into interstate commerce for commercial distribution the device when:

(a) The device is intended for a use different from the intended use of a legally marketed device in that generic type of device; e.g., the device is intended for a different medical purpose, or the device is intended for lay use where the former intended use was by health care professionals only;
§ 878.1800 Speculum and accessories.

(a) Identification. A speculum is a device intended to be inserted into a body cavity to aid observation. It is either nonilluminated or illuminated and may have various accessories.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.


Subpart C—Reserved

Subpart D—Prosthetic Devices

§ 878.3250 External facial fracture fixation appliance.

(a) Identification. An external facial fracture fixation appliance is a metal apparatus intended to be used during surgical reconstruction and repair to immobilize maxillofacial bone fragments in their proper facial relationship.

(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.


§ 878.3300 Surgical mesh.

(a) Identification. Surgical mesh is a metallic or polymeric screen intended to be implanted to reinforce soft tissue or bone where weakness exists. Examples of surgical mesh are metallic and polymeric mesh for hernia repair, and acetabular and cement restrictor mesh used during orthopedic surgery.

(b) Classification. Class II.

§ 878.3500 Polytetrafluoroethylene with carbon fibers composite implant material.

(a) Identification. A polytetrafluoroethylene with carbon fibers composite implant material is a porous device material intended to be implanted during surgery of the chin, jaw, nose, or bones or tissue near the eye or ear. The device material serves as a space-occupying substance and is shaped and formed by the surgeon to conform to the patient’s need.

(b) Classification. Class II.
§ 878.3530 Silicone inflatable breast prosthesis.

(a) Identification. A silicone inflatable breast prosthesis is a silicone rubber shell made of polysiloxane(s), such as polydimethylsiloxane and polydiphenylsiloxane, that is inflated to the desired size with sterile isotonic saline before or after implantation. The device is intended to be implanted to augment or reconstruct the female breast.

(b) Classification. Class III.

(c) Date PMA or notice of completion of a PDP is required. A PMA or a notice of completion of a PDP is required to be filed with the Food and Drug Administration on or before November 17, 1999, for any silicone inflatable breast prosthesis that was in commercial distribution before May 28, 1976, or that has, on or before November 17, 1999, been found to be substantially equivalent to a silicone inflatable breast prosthesis that was in commercial distribution before May 28, 1976. Any other silicone inflatable breast prosthesis shall have an approved PMA or a declared completed PDP in effect before being placed in commercial distribution.

§ 878.3540 Silicone gel-filled breast prosthesis.

(a) Identification—(1) Single-lumen silicone gel-filled breast prosthesis. A single-lumen silicone gel-filled breast prosthesis is a silicone rubber shell made of polysiloxane(s), such as polydimethylsiloxane and polydiphenylsiloxane. The shell either contains a fixed amount cross-linked polymerized silicone gel, filler, and stabilizers or is filled to the desired size with injectable silicone gel at time of implantation. The device is intended to be implanted to augment or reconstruct the female breast.

(2) Double-lumen silicone gel-filled breast prosthesis. A double lumen silicone gel-filled breast prosthesis is a silicone rubber inner shell and a silicone rubber outer shell, both shells made of polysiloxane(s), such as polydimethylsiloxane and polydiphenylsiloxane. The inner shell contains fixed amounts of cross-linked polymerized silicone gel, fillers, and stabilizers. The outer shell is inflated to the desired size with sterile isotonic saline before or after implantation. The device is intended to be implanted to augment or reconstruct the female breast.

(b) Classification. Class III.

(c) Date premarket approval application (PMA) is required. A PMA is required to be filed with the Food and Drug Administration on or before July 9, 1991 for any silicone gel-filled breast prosthesis that was in commercial distribution before May 28, 1976, or that has on or before July 9, 1991 been found to be substantially equivalent to a silicone gel-filled breast prosthesis that was in commercial distribution before May 28, 1976. Any other silicone gel-filled breast prosthesis shall have an approved PMA in effect before being placed in commercial distribution.

§ 878.3550 Chin prosthesis.

(a) Identification. A chin prosthesis is a silicone rubber solid device intended to be implanted to augment or reconstruct the chin.

(b) Classification. Class II.

§ 878.3590 Ear prosthesis.

(a) Identification. An ear prosthesis is a silicone rubber solid device intended to be implanted to reconstruct the external ear.

(b) Classification. Class II.

§ 878.3610 Esophageal prosthesis.

(a) Identification. An esophageal prosthesis is a rigid, flexible, or expandable tubular device made of a plastic, metal, or polymeric material that is intended to be implanted to restore the
§ 878.3680 Nose prosthesis.
(a) Identification. A nose prosthesis is a silicone rubber solid device intended to be implanted to augment or reconstruct the nasal dorsum.
(b) Classification. Class II.

§ 878.3720 Tracheal prosthesis.
(a) Identification. The tracheal prosthesis is a rigid, flexible, or expandable tubular device made of a silicone, metal, or polymeric material that is intended to be implanted to restore the structure and/or function of the trachea or trachealbronchial tree. It may be unbranched or contain one or two branches. The metal tracheal prosthesis may be uncovered or covered with a polymeric material. This device may also include a device delivery system.
(b) Classification. Class II.

§ 878.3750 External prosthesis adhesive.
(a) Identification. An external prosthesis adhesive is a silicone-type adhesive intended to be used to fasten to the body an external aesthetic restoration prosthesis, such as an artificial nose.
(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.3800 External aesthetic restoration prosthesis.
(a) Identification. An external aesthetic restoration prosthesis is a device intended to be used to construct an external artificial body structure, such as an ear, breast, or nose. Usually the device is made of silicone rubber and it may be fastened to the body with an external prosthesis adhesive. The device is not intended to be implanted.
(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter. If the device is intended for use without an external prosthesis adhesive to fasten it to the body, the device is exempt from the current good manufacturing practice regulations in part 820 of this chapter, with the exception of §820.180, with respect to general requirements concerning records, and §820.198, with respect to complaint files.

§ 878.3900 Inflatable extremity splint.
(a) Identification. An inflatable extremity splint is a device intended to be inflated to immobilize a limb or an extremity.
(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.3910 Noninflatable extremity splint.
(a) Identification. A noninflatable extremity splint is a device intended to immobilize a limb or an extremity. It is not inflatable.
(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9. If the device is not labeled or otherwise represented as sterile, it is exempt from the current good manufacturing practice regulations in part 820 of this chapter, with the exception of §820.180 of this chapter, with respect to general requirements concerning records, and §820.198 of this chapter.
§ 878.4022 Hydrogel wound dressing and burn dressing.

(a) Identification. A hydrogel wound dressing is a sterile or non-sterile device intended to cover a wound, to absorb wound exudate, to control bleeding or fluid loss, and to protect against abrasion, friction, desiccation, and contamination. It consists of a nonresorbable matrix made of hydrophilic polymers or other material in combination with water (at least 50 percent) and capable of absorbing exudate. This classification does not include a hydrogel wound dressing that contains added drugs such as antimicrobial agents, added biologics such as growth factors, or is composed of materials derived from animal sources.

(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in part 807, subpart E of this chapter subject to the limitations in §878.9.

[64 FR 53929, Oct. 5, 1999]
§ 878.4040  Surgical apparel.
   (a) Identification. Surgical apparel are devices that are intended to be worn by
       operating room personnel during surgical procedures to protect both the
       surgical patient and the operating room personnel from transfer of micro-
       organisms, body fluids, and particulate material. Examples include surgical
       caps, hoods, masks, gowns, operating room shoes and shoe covers, and iso-
       lation masks and gowns. Surgical suits and dresses, commonly known as scrub
       suits, are excluded.
   (b) Classification. (1) Class II (special controls) for surgical gowns and sur-
       gical masks.
       (2) Class I (general controls) for surgical apparel other than surgical gowns
       and surgical masks. The class I device is exempt from the premarket notifica-
       tion procedures in subpart E of part 807 of this chapter subject to §878.9.

[53 FR 23872, June 24, 1988, as amended at 65 FR 2317, Jan. 14, 2000]

§ 878.4100  Organ bag.
   (a) Identification. An organ bag is a device that is a flexible plastic bag in-
       tended to be used as a temporary receptacle for an organ during surgical pro-
       cedures to prevent moisture loss.
   (b) Classification. Class I (general controls). The device is exempt from the premarket notifica-
       tion procedures in subpart E of part 807 of this chapter subject to §878.9.


§ 878.4160  Surgical camera and accessories.
   (a) Identification. A surgical camera and accessories is a device intended to
       be used to record operative procedures.
   (b) Classification. Class I. The device is exempt from the premarket notifica-
       tion procedures in subpart E of part 807 of this chapter.

[64 FR 53929, Oct. 5, 1999]

§ 878.4200  Introduction/drainage catheter and accessories.
   (a) Identification. An introduction/drainage catheter is a device that is a
       flexible single or multilumen tube intended to be used to introduce nondrug
       fluids into body cavities other than blood vessels, drain fluids from body
       cavities, or evaluate certain physiologic conditions. Examples include irri-
       gation and drainage catheters, pediatric catheters, peritoneal catheters
       (including dialysis), and other general surgical catheters. An introduction/drainage catheter accessory is intended to aid in the manipulation of or insertion of the device into the body. Examples of accessories include adaptors, connectors, and catheter needles.
   (b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.

[53 FR 23872, June 24, 1988, as amended at 54 FR 13827, Apr. 5, 1989]

§ 878.4300  Implantable clip.
   (a) Identification. An implantable clip is a clip-like device intended to con-
       nect internal tissues to aid healing. It is not absorbable.
   (b) Classification. Class II.

[53 FR 23872, June 24, 1988, as amended at 65 FR 2318, Jan. 14, 2000]

§ 878.4320  Removable skin clip.
   (a) Identification. A removable skin clip is a clip-like device intended to
       connect skin tissues temporarily to aid healing. It is not absorbable.
   (b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.

[53 FR 23872, June 24, 1988, as amended at 65 FR 2318, Jan. 14, 2000]

§ 878.4350  Cryosurgical unit and accessories.
   (a) Identification—(1) Cryosurgical unit with a liquid nitrogen cooled cryoprobe
       and accessories. A cryosurgical unit with a liquid nitrogen cooled cryoprobe
and accessories is a device intended to destroy tissue during surgical procedures by applying extreme cold.

(2) Cryosurgical unit with a nitrous oxide cooled cryoprobe and accessories. A cryosurgical unit with a nitrous oxide cooled cryoprobe and accessories is a device intended to destroy tissue during surgical procedures, including urological applications, by applying extreme cold.

(3) Cryosurgical unit with a carbon dioxide cooled cryoprobe or a carbon dioxide dry ice applicator and accessories. A cryosurgical unit with a carbon dioxide cooled cryoprobe or a carbon dioxide dry ice applicator and accessories is a device intended to destroy tissue during surgical procedures by applying extreme cold. The device is intended to treat disease conditions such as tumors, skin cancers, acne scars, or hemangiomas (benign tumors consisting of newly formed blood vessels) and various benign or malignant gynecological conditions affecting vulvar, vaginal, or cervical tissue. The device is not intended for urological applications.

(b) Classification. Class II.

§ 878.4400 Electrosurgical cutting and coagulation device and accessories.

(a) Identification. An electrosurgical cutting and coagulation device and accessories is a device intended to remove tissue and control bleeding by use of high-frequency electrical current.

(b) Classification. Class II.

§ 878.4440 Eye pad.

(a) Identification. An eye pad is a device that consists of a pad made of various materials, such as gauze and cotton, intended for use as a bandage over the eye for protection or absorption of secretions.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.4450 Nonabsorbable gauze for internal use.

(a) Identification. Nonabsorbable gauze for internal use is a device made of an open mesh fabric intended to be used inside the body or a surgical incision or applied to internal organs or structures, to control bleeding, absorb fluid, or protect organs or structures from abrasion, drying, or contamination. The device is woven from material made of not less than 50 percent by mass cotton, cellulose, or a simple chemical derivative of cellulose, and contains x-ray detectable elements.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.4460 Surgeon’s glove.

(a) Identification. A surgeon’s glove is a device made of natural or synthetic rubber intended to be worn by operating room personnel to protect a surgical wound from contamination. The
§ 878.4470 Surgeon’s gloving cream.

(a) Identification. Surgeon’s gloving cream is an ointment intended to be used to lubricate the user’s hand before putting on a surgeon’s glove.

(b) Classification. Class I.

§ 878.4475 Surgeon’s gloving cream.

(a) Identification. Surgeon’s gloving cream is an ointment intended to be used to lubricate the user’s hand before putting on a surgeon’s glove.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.4480 Absorbable powder for lubricating a surgeon’s glove.

(a) Identification. Absorbable powder for lubricating a surgeon’s glove is a powder made from corn starch that meets the specifications for absorbable powder in the United States Pharmacopeia (U.S.P.) and that is intended to be used to lubricate the surgeon’s hand before putting on a surgeon’s glove. The device is absorbable through biological degradation.

(b) Classification. Class III.

(c) Date PMA or notice of completion of a PDP is required. As of May 28, 1976, an approval under section 515 of the act is required before this device may be commercially distributed. See §878.3.

§ 878.4490 Absorbable hemostatic agent and dressing.

(a) Identification. An absorbable hemostatic agent or dressing is a device intended to produce hemoostasis by accelerating the clotting process of blood. It is absorbable.

(b) Classification. Class III.

(c) Date PMA or notice of completion of a PDP is required. As of May 28, 1976, an approval under section 515 of the act is required before this device may be commercially distributed. See §878.3.

§ 878.4493 Absorbable poly(glycolide/\(l\)-lactide) surgical suture.

(a) Identification. An absorbable poly(glycolide/\(l\)-lactide) surgical suture (PGL suture) is an absorbable sterile, flexible strand as prepared and synthesized from homopolymers of glycolide and copolymers made from 90 percent glycolide and 10 percent \(l\)-lactide, and is indicated for use in soft tissue approximation. A PGL suture meets United States Pharmacopeia (U.S.P.) requirements as described in the U.S.P. “Monograph for Absorbable Surgical Sutures;” it may be monofilament or multifilament (braided) in form; it may be uncoated or coated; and it may be undyed or dyed with an FDA-approved color additive. Also, the suture may be provided with or without a standard needle attached.

(b) Classification. Class II.

§ 878.4495 Stainless steel suture.

(a) Identification. A stainless steel suture is a needled or unneedled non-absorbable surgical suture composed of 316L stainless steel, in USP sizes 12-0 through 10, or a substantially equivalent stainless steel suture, intended for use in abdominal wound closure, intestinal anastomosis, hernia repair, and sternal closure.

(b) Classification. Class II (special controls).

§ 878.4520 Polytetrafluoroethylene injectable.

(a) Identification. Polytetrafluoroethylene injectable is an injectable paste prosthetic device composed of polytetrafluoroethylene intended to be used to augment or reconstruct a vocal cord.

(b) Classification. Class III.

(c) Date PMA or notice of completion of a PDP is required. As of May 28, 1976, an approval under section 515 of the act is required before this device may be commercially distributed. See §878.3.

§ 878.4580 Surgical lamp.

(a) Identification. A surgical lamp (including a fixture) is a device intended to be used to provide visible illumination of the surgical field or the patient.

(b) Classification. Class II.

§ 878.4630 Ultraviolet lamp for dermatologic disorders.

(a) Identification. An ultraviolet lamp for dermatologic disorders is a device (including a fixture) intended to provide ultraviolet radiation of the body to photoactivate a drug in the treatment of a dermatologic disorder if the
§ 878.4635 Ultraviolet lamp for tanning.

(a) Identification. An ultraviolet lamp for tanning is a device that is a lamp (including a fixture) intended to provide ultraviolet radiation to tan the skin. See §1040.20 of this chapter.  

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.  


§ 878.4660 Skin marker.

(a) Identification. A skin marker is a pen-like device intended to be used to write on the patient’s skin, e.g., to outline surgical incision sites or mark anatomical sites for accurate blood pressure measurement.  

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.  


§ 878.4680 Nonpowered, single patient, portable suction apparatus.

(a) Identification. A nonpowered, single patient, portable suction apparatus is a device that consists of a manually operated plastic, disposable evacuation system intended to provide a vacuum for suction drainage of surgical wounds.  

(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.  

[53 FR 23872, June 24, 1988, as amended at 65 FR 2318, Jan. 14, 2000]

§ 878.4700 Surgical microscope and accessories.

(a) Identification. A surgical microscope and accessories is an AC-powered device intended for use during surgery to provide a magnified view of the surgical field.  

(b) Classification. Class II. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.  


§ 878.4730 Surgical skin degreaser or adhesive tape solvent.

(a) Identification. A surgical skin degreaser or an adhesive tape solvent is a device that consists of a liquid such as 1,1,2-trichloro-1,2,2-trifluoroethane; 1,1,1-trichloroethane; and 1,1,1-trichloroethane with mineral spirits intended to be used to dissolve surface skin oil or adhesive tape.  

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.  


§ 878.4750 Implantable staple.

(a) Identification. An implantable staple is a staple-like device intended to connect internal tissues to aid healing. It is not absorbable.  

(b) Classification. Class II.  

§ 878.4760 Removable skin staple.

(a) Identification. A removable skin staple is a staple-like device intended to connect external tissues temporarily to aid healing. It is not absorbable.  

(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.  

[53 FR 23872, June 24, 1988, as amended at 65 FR 2318, Jan. 14, 2000]

§ 878.4780 Powered suction pump.

(a) Identification. A powered suction pump is a portable, AC-powered or compressed air-powered device intended to be used to remove infectious materials from wounds or fluids from a patient’s airway or respiratory support system. The device may be used during surgery in the operating room or at the patient’s bedside. The device may include a microbial filter.  

(b) Classification. Class II.
§ 878.4800 Manual surgical instrument for general use.

(a) Identification. A manual surgical instrument for general use is a non-powered, hand-held, or hand-manipulated device, either reusable or disposable, intended to be used in various general surgical procedures. The device includes the applicator, clip applier, biopsy brush, manual dermabrasion brush, scrub brush, cannula, ligature carrier, chisel, clamp, contractor, curette, cutter, dissector, elevator, skin graft expander, file, forceps, gouge, instrument guide, needle guide, hammer, hemostat, amputation hook, ligature passing and knot-tying instrument, knife, blood lancet, mallet, disposable or reusable aspiration and injection needle, disposable or reusable suturing needle, osteotome, pliers, rasp, retractor, saw, scalpel blade, scalpel handle, one-piece scalpel, snare, spatula, stapler, disposable or reusable stripper, stylet, suturing apparatus for the stomach and intestine, measuring tape, and calipers. A surgical instrument that has specialized uses in a specific medical specialty is classified in separate regulations in parts 868 through 892.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.4810 Laser surgical instrument for general and plastic surgery and in dermatology.

(a) Identification. (1) A carbon dioxide laser for use in general surgery and in dermatology is a laser device intended to cut, destroy, or remove tissue by light energy emitted by carbon dioxide.

(2) An argon laser for use in dermatology is a laser device intended to destroy or coagulate tissue by light energy emitted by argon.

(b) Classification. (1) Class II.

(2) Class I for special laser gas mixtures used as a lasing medium for this class of lasers. The devices subject to this paragraph (b)(2) are exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

§ 878.4820 Surgical instrument motors and accessories/attachments.

(a) Identification. Surgical instrument motors and accessories are AC-powered, battery-powered, or air-powered devices intended for use during surgical procedures to provide power to operate various accessories or attachments to cut hard tissue or bone and soft tissue. Accessories or attachments may include a bur, chisel (osteotome), dermabrasion brush, dermatome, drill bit, hammerhead, pin driver, and saw blade.

(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.

§ 878.4830 Absorbable surgical gut suture.

(a) Identification. An absorbable surgical gut suture, both plain and chromic, is an absorbable, sterile, flexible thread prepared from either the serosal connective tissue layer of beef (bovine) or the submucosal fibrous tissue of sheep (ovine) intestine, and is intended for use in soft tissue approximation.

(b) Classification. Class II.

§ 878.4930 Suture retention device.

(a) Identification. A suture retention device is a device, such as a retention bridge, a surgical button, or a suture bolster, intended to aid wound healing by distributing suture tension over a larger area in the patient.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.
§ 878.4950 Manual operating table and accessories and manual operating chair and accessories.

(a) Identification. A manual operating table and accessories and a manual operating chair and accessories are non-powered devices, usually with movable components, intended to be used to support a patient during diagnostic examinations or surgical procedures.

(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.


§ 878.4960 Operating tables and accessories and operating chairs and accessories.

(a) Identification. Operating tables and accessories and operating chairs and accessories are AC-powered or air-powered devices, usually with movable components, intended for use during diagnostic examinations or surgical procedures to support and position a patient.

(b) Classification. Class I (general controls). The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.


§ 878.5000 Nonabsorbable poly(ethylene terephthalate) surgical suture.

(a) Identification. Nonabsorbable poly(ethylene terephthalate) surgical suture is a multifilament, nonabsorbable, sterile, flexible thread prepared from fibers of high molecular weight, long-chain, linear polyesters having recurrent aromatic rings as an integral component and is indicated for use in soft tissue approximation. The poly(ethylene terephthalate) surgical suture meets United States Pharmacopeia (U.S.P.) requirements as described in the U.S.P. monograph for nonabsorbable surgical sutures; it may be monofilament or multifilament in form; it may be provided uncoated or coated; and it may be undyed or dyed with an FDA listed color additive. Also, the suture may be provided with or without a standard needle attached.

(b) Classification. Class II.

[56 FR 24685, May 31, 1991]

§ 878.5010 Nonabsorbable polypropylene surgical suture.

(a) Identification. Nonabsorbable polypropylene surgical suture is a monofilament, nonabsorbable, sterile, flexible thread prepared from long-chain polyolefin polymer known as polypropylene and is indicated for use in soft tissue approximation. The polypropylene surgical suture meets United States Pharmacopeia (U.S.P.) requirements as described in the U.S.P. monograph for nonabsorbable surgical sutures; it may be undyed or dyed with an FDA approved color additive; and the suture may be provided with or without a standard needle attached.

(b) Classification. Class II.

[56 FR 24685, May 31, 1991]

§ 878.5020 Nonabsorbable polyamide surgical suture.

(a) Identification. Nonabsorbable polyamide surgical suture is a nonabsorbable, sterile, flexible thread prepared from long-chain aliphatic polymers Nylon 6 and Nylon 6,6 and is indicated for use in soft tissue approximation. The polyamide surgical suture meets United States Pharmacopeia (U.S.P.) requirements as described in the U.S.P. monograph for nonabsorbable surgical sutures; it may be monofilament or multifilament in form; it may be provided uncoated or coated; and it may be undyed or dyed with an appropriate FDA listed color additive. Also, the suture may be provided with or without a standard needle attached.

(b) Classification. Class II.

[56 FR 24685, May 31, 1991]

§ 878.5030 Natural nonabsorbable silk surgical suture.

(a) Identification. Natural nonabsorbable silk surgical suture is a nonabsorbable, sterile, flexible multifilament thread composed of an organic protein called fibroin. This protein is derived from the domesticated species Bombyx mori (B. mori) of the family Bombycidae. Natural nonabsorbable silk surgical suture is indicated for use in soft tissue approximation. Natural nonabsorbable silk surgical suture
§ 878.5035 Nonabsorbable expanded polytetrafluoroethylene surgical suture.  
(a) Identification. Nonabsorbable expanded polytetrafluoroethylene (ePTFE) surgical suture is a monofilament, nonabsorbable, sterile, flexible thread prepared from ePTFE and is intended for use in soft tissue approximation and ligation, including cardiovascular surgery. It may be undyed or dyed with an approved color additive and may be provided with or without an attached needle(s).  
(b) Classification. Class II (special controls). FDA recognized consensus standards and device-specific labeling:  
(1) United States Pharmacopeia (USP) 21:  
(i) Monograph for Nonabsorbable Surgical Sutures;  
(ii) Sutures—Diameter <861>;  
(iii) Sutures Needle Attachment <871>; and  
(iv) Tensile Strength <881>.  
(2) Labeling:  
(i) Contraindication: “This device is contraindicated for use in ophthalmic and neural tissues and for use in microsurgery.”  
(ii) “For Single Use Only.”  
(iii) If the marketed suture has a different diameter than the diameter specified in USP 21—Suture Diameter <861>, then a tabular comparison of its diameter and USP sizes should be included in the labeling.  
[63 FR 7705, Feb. 17, 1998]  
§ 878.5040 Suction lipoplasty system.  
(a) Identification. A suction lipoplasty system is a device intended for aesthetic body contouring. The device consists of a powered suction pump (containing a microbial filter on the exhaust and a microbial in-line filter in the connecting tubing between the collection bottle and the safety trap), collection bottle, cannula, and connecting tube. The microbial filters, tubing, collection bottle, and cannula must be capable of being changed between patients. The powered suction pump has a motor with a minimum of 1/3 horsepower, a variable vacuum range from 0 to 29.9 inches of mercury, vacuum control valves to regulate the vacuum with accompanying vacuum gauges, a single or double rotary vane (with or without oil), a single or double diaphragm, a single or double piston, and a safety trap.  
(b) Classification. Class II (special controls). Consensus standards and labeling restrictions.  
[65 FR 20735, Apr. 18, 2000]  
§ 878.5070 Air-handling apparatus for a surgical operating room.  
(a) Identification. Air-handling apparatus for a surgical operating room is a device intended to produce a directed, nonturbulent flow of air that has been filtered to remove particulate matter and microorganisms to provide an area free of contaminants to reduce the possibility of infection in the patient.  
(b) Classification. Class II.  
§ 878.5350 Needle-type epilator.  
(a) Identification. A needle-type epilator is a device intended to destroy the dermal papilla of a hair by applying electric current at the tip of a fine needle that has been inserted close to the hair shaft, under the skin, and into the dermal papilla. The electric current may be high-frequency AC current, high-frequency AC combined with DC current, or DC current only.  
(b) Classification. Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.  
[53 FR 23872, June 24, 1988, as amended at 61 FR 1123, Jan. 16, 1996]  
§ 878.5360 Tweezer-type epilator.  
(a) Identification. The tweezer-type epilator is an electrical device intended to remove hair. The energy provided at the tip of the tweezer used to remove
(b) **Classification.** Class I (general controls). The device is exempt from premarket notification procedures in subpart E of part 807 of this chapter subject to §878.9.

[63 FR 57060, Oct. 26, 1998]

§ 878.5650 Topical oxygen chamber for extremities.

(a) **Identification.** A topical oxygen chamber for extremities is a device intended to surround hermetically a patient’s limb and apply humidified oxygen topically at a pressure slightly greater than atmospheric pressure to aid healing of chronic skin ulcers or bed sores.

(b) **Classification.** Class III. (c) **Date PMA or notice of completion of a PDP is required.** No effective date has been established of the requirement for premarket approval. See §878.3.

§ 878.5900 Nonpneumatic tourniquet.

(a) **Identification.** A nonpneumatic tourniquet is a device consisting of a strap or tubing intended to be wrapped around a patient’s limb and tightened to reduce circulation.

(b) **Classification.** Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.


§ 878.5910 Pneumatic tourniquet.

(a) **Identification.** A pneumatic tourniquet is an air-powered device consisting of a pressure-regulating unit, connecting tubing, and an inflatable cuff. The cuff is intended to be wrapped around a patient’s limb and inflated to reduce or totally occlude circulation during surgery.

(b) **Classification.** Class I. The device is exempt from the premarket notification procedures in subpart E of part 807 of this chapter.

[53 FR 23872, June 24, 1988, as amended at 61 FR 1123, Jan. 16, 1996]