Manufacturer's Declaration

in relation to Regulation (EU) 2023/607 amending Regulations (EU) 2017/745 and (EU) 2017/746 as regards the transitional provisions for certain medical devices and in vitro diagnostic medical devices, in particular with respect to

- the validity of certificates issued under Council Directive 90/385/EEC on Active Implantable Medical Devices (AIMDD) or Council Directive 93/42/EEC on Medical Devices (MDD) (Directive Certificates) *and/or*[1]
- the compliance of the devices and us as their manufacturer with the conditions for the continued placing on the market and putting into service

Manufacturer name	VYGON
Manufacturer address and contact details	5 rue Adeline 95440 Ecouen - FRANCE
Single Registration Number (SRN) (if available)	FR-MF-000001667

Authorised Representative name (if applicable)	Non applicable
Authorised Representative address and contact details	Non applicable
Single Registration Number (SRN) (if available)	Non applicable

Notified body name (if applicable)	GMED
Notified body number (if applicable)	CE 0459
Directive Certificate number(s) to which this confirmation is made (if applicable)	Certificate N°9554 rev.10
Original expiry date as indicated on the Directive Certificate prior to the extension of the validity (if applicable)	May 26th, 2024
End date of extended validity/transition period	December 31st, 2028

[1] The first condition is not applicable in case of devices for which the conformity assessment procedure pursuant to MDD did not require the involvement of a notified body, for which the declaration of conformity was drawn up prior to 26 May 2021 and for which the conformity assessment procedure pursuant to this Regulation requires the involvement of a notified body.

We, as the manufacturer declare under our sole responsibility:

- for the above listed **Directive Certificate** the conditions for the legal extension of validity as required in Article 120.2 of the MDR are met *and/or*[2]
- the **devices referenced as following:**

  refer to the GMED additional document N° 37884 rev. 2 associated with the certificate 9554.

  and we as their manufacturer are in compliance with the conditions listed in Article 120.3c of the MDR for continued placing on the market and putting into service,

namely by fulfilling the following conditions:

➢ **Directive Certificates** as listed above

- Directive Certificate covering the listed devices was issued after 25 May 2017, was valid on 26 May 2021 and have not been withdrawn afterwards.

  ☐ Expired *before* 20 March 2023:

  ☐ Before the original date of expiry as indicated on the Directive Certificate(s), we and the notified body have signed written agreement(s) in accordance with Section 4.3, second subparagraph of Annex VII to this Regulation for the conformity assessment(s) in respect of the device(s) covered by the expired certificate(s) or in respect of a device(s) intended to substitute that/those device(s), or

  ☐ A Competent Authority has granted a derogation from the applicable conformity assessment procedure in accordance with Article 59(1) MDR (may be provided upon request), or

  ☐ A Competent Authority has required the manufacturer, in accordance with Article 97(1) MDR, to carry out the applicable conformity assessment procedure (may be provided upon request)

  Only if a derogation per Article 59(1) or a requirement per Article 97(1) has been granted by a Competent Authority:

  ☐ Formal application(s) to the notified body in accordance with Section 4.3, first subparagraph of Annex VII MDR for conformity assessment has/have been made or will be made/submitted by us to a notified body no later than 26 May 2024 for the device(s) listed in the attached schedule or its/their substitute(s) and signed written agreement(s) is/will be in place in accordance with Section 4.3, second subparagraph of Annex VII MDR before 26 September 2024.

  ☐ We do not intent to lodge an application for conformity assessment by 26 May 2024, therefore the transition period will end on 26 May 2024.

[2] The first condition is not applicable in case of devices for which the conformity assessment procedure pursuant to MDD did not require the involvement of a notified body, for which the declaration of conformity was drawn up prior to 26 May 2021 and for which the conformity assessment procedure pursuant to this Regulation requires the involvement of a notified body

☒ Expired/expires *after* 20 March 2023:

☒ Formal application(s) to the notified body in accordance with Section 4.3, first subparagraph of Annex VII MDR for conformity assessment has/have been made or will be made/submitted by us to a notified body no later than 26 May 2024 for the device(s) listed in the attached schedule or its/their substitute(s) and signed written agreement(s) is/will be in place in accordance with Section 4.3, second subparagraph of Annex VII MDR before 26 September 2024.

☐ We do not intent to lodge an application for conformity assessment by 26 May 2024, therefore the transition period will end on 26 May 2024.

➢ **Quality Management System (QMS)**

☐ A QMS in accordance with Article 10(9) MDR will be put in place by no later than 26 May 2024.

☒ A QMS in accordance with Article 10(9) MDR is in place.

☐ A notified body has issued the attached certificate for the MDR-compliant QMS.

➢ **Devices as listed above:**

- The device(s) continue to comply with the MDD.
- There are no significant changes in the design and intended purpose.
- The device(s) do not present an unacceptable risk to health or safety of patients, users or other persons, or to other aspects of the protection of public health.

Signed for and on behalf of the manufacturer:

VYGON

Ecouen (FRANCE), October 20th, 2023

DocuSigned by:
FLUTEAUX Christophe
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Christophe FLUTEAUX
R&D and Regulatory Affairs Director
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