NATIONAL HEALTH SURVEILLANCE AGENCY

COLLEGIATE BOARD

RESOLUTION - RDC No. 36, AUGUST 26, 2015

Deals with the risk classification, control schemes for enrollment/notification and registration, and requirements for labeling and instructions for use of products for in vitro diagnosis, including their instruments, and gives other provisions.

The National Health Surveillance Agency Collegiate Board, in the exercise of attributions granted by sections III and IV of Art. 15, Law No. 9,782, as of January 26, 1999, section V, §§ 1 and 3 of Art. 58 of the Internal Regulation approved pursuant to Annex I of Collegiate Board Resolution - RDC No. 29, as of July 21, 2015, published in the Federal Official Gazette on July 23, 2015, in view of the provisions in section III of Art .2, sections III and IV of Art. 7, Law No. 9782 of 1999, and the Program for Improvement of the Agency Regulation Procedure, established by Ordinance No. 422, as of April 16, 2008, at the Ordinary Public Meeting No. 015/2015, held on August 20, 2015, adopts the following Collegiate Board Resolution and I, the Chairman, determine its publication.

CHAPTER I

ABOUT INITIAL PROVISIONS

Section I

Purpose

Art. 1 - This Resolution is to establish the risk classification, the control schemes for enrollment/notification and registration, and labeling requirements and instructions for use of products for in vitro diagnosis, including their instruments.

Section II

Scope

Art. 2 - This Resolution applies to products for in vitro diagnosis which are manufactured in national territory and to those manufactured in other countries that may be imported to Brazil.

Sole paragraph. This Resolution does not apply to:

I - Reagents and reference materials specifically intended to quality assessment in proficiency tests or inter-laboratory comparison;

II - Isolated reagents marketed as inputs for the manufacture of products for in vitro diagnosis;

III - Reagents or sets of reagents mounted on clinical laboratories to be used solely at the same institution, following specific work protocols, and being prohibited its sale or donation;

IV - Laboratory reagents which are intended for diagnosis in any type of non-human sample;

V - General laboratory materials;

VI - Products intended to legal medicine only;

VII - Products intended only to doping tests in sports, and which results are not used for treatment or health purposes;

VIII - Products for research use only, including those imported and labeled as RUO - Research Use Only;

IX - Culture media and freeze-dried supplements that depend on processing and controls performed by the user prior to use;

X - Culture media and instruments intended to analysis of environmental, industrial, food or water controls; and

XI - Software for in vitro diagnosis not shipped with the equipment, which is dealt with in specific regulation.

Section III

Definitions

Ar. 3 - For the purpose of this Resolution, the following definitions shall apply:

I - Registration or enrollment/notification change: change in information originally presented in the registration procedure or product enrollment/notification;

II - Previous analysis: analysis to check product characteristics with registration, change (when applicable) or revalidation purposes;

III - Product enrollment/notification: private act of the ANVISA, after evaluation and concession order by its officer, intended to prove the manufacturing and import right of product for in vitro diagnostic exempted from registration as per §1 of Art. 25, Law No. 6.360, as of September 23, 1976, with indication of name, manufacturer, purpose, and other elements which characterize the product;

IV - Calibration: set of operations under specified conditions which establish the correspondence between the values indicated by a measuring instrument and a reference material, with the purpose of standardization or adjustment of instruments and / or laboratory procedures;

V - Sampler: material, with or without vacuum, intended to specific use of primary containment and preservation of samples taken from the human body for in vitro diagnostic purposes;

VI - Clinical performance: evaluation performed to establish or confirm an association between the analyte and the clinical condition or physiological status;

VII - Technical Dossier: document that describes the elements which compose the product, indicating the characteristics, purpose, method of use, content, special care, potential risks, production process, and additional information;

VIII - High-dose prozone effect: result from antigen-antibody reaction in which antigen or antibody excess results in incomplete or blocked reaction;

IX - Packaging: housing, container or any form for packaging, removable or not, intended for covering, packaging, bottling, protecting or maintaining the product;

X - Primary packaging: container intended for wrapping and packaging products in direct contact with them;

XI - Secondary packaging: container intended for packaging the product in its primary package by keeping no contact with them;

XII - Analytical specificity: ability of an analytical method to detect only the analyte despite of other substances present in the sample;

XIII - Clinical specificity: also known as diagnostic specificity, it corresponds to the percentage of negative results when the analyte is not present in the sample, recognizing the absence of a particular disease or condition;

XIV - Stability: quality of a product related to the maintenance of its essential characteristics over a period of time and pre-established conditions;

XV - Performance studies: evaluation of performance of a product for in vitro diagnostic based on available data and laboratory or clinical investigations to determine characteristics such as sensitivity, specificity, repeatability and reproducibility;

XVI - Manufacturing: set of operations required to obtain the product dealt with in this resolution;

XVII - Legal manufacturer: legal entity responsible for designing, manufacturing, packaging, and labeling the product before placing it on the market under its brand, both operations being carried out or not by the company itself;

XVIII - Instructions for use: guidance provided by the manufacturer or the registration holder for the correct use of the product safely and effectively;

XIX - Instrument: equipment or apparatus developed by the manufacturer intended to be used as a product for in vitro diagnosis;

XX - Batch: amount of a product obtained in a manufacturing cycle which is characterized by homogeneity;

XXI - General laboratory material: chemical reagent or device with general laboratory application, used in the preparation and examination of samples from human body for diagnostic purposes, and is not labeled or intended for a specific diagnostic application;

XXII - Matrix: all the components of a material or sample system except the analyte;

XXIII - Batch number or code or serial number: any combination of numbers and / or letters through which one can track the complete history of the product manufacturing and its movement in the market to consumption;

XXIV - Patient: an individual from which biological material was obtained for the purpose of clinical laboratory diagnosis;

XXV - Clinical investigation of products for in vitro diagnosis: investigation using samples from humans to check the performance and validity of the product for the intended purposes;

XXVI - Point of care testing (PoCT): testing conducted close the point of patient care, including medical offices and locations outside the technical area of a laboratory, by health professionals or by personnel trained by the Ministry of Health and or State and Municipal Health Department;

XXVII - Product for in vitro diagnosis: reagents, calibrators, standards, controls, samplers, materials and instruments, used individually or in combination, with intended use determined by the manufacturer, for in vitro analysis of samples derived from the human body, exclusively or primarily to provide information for the purposes of diagnosis, monitoring, screening or to determine compatibility with potential recipients of blood, tissues and organs;

XXVIII - Self-test product: product for monitoring the conditions of a disease or detecting specific conditions, intended to help patients but not conclusive for diagnosis, performed by laypersons, health professionals or clinical laboratory;

XXIX - Product for research use only: product with no medical purpose or goal, which can be used in base research, pharmaceutical research or as input for a kit of reagents for research purposes, and it cannot be used for clinical purposes;

XXX - Single-use product: product for in vitro diagnostic used in a single patient during a procedure and then disposed of, and it cannot be reprocessed and used again;

XXXI - Product registration: private act of the ANVISA, after evaluation and concessive order by its officer, intended to prove the right for manufacturing and importing a product subjected to Law No. 6360, 1976, with indication of name, manufacturer, purpose, and other elements which characterize the product;

XXXII - Repeatability: results of successive measurements of the same analyte under unchanged operating conditions;

XXXIII - Reproducibility: the results of successive measurements of the same analyte under different operating conditions;

XXXIV - Technical responsible: a legally qualified professional with registration at professional authority recognized by the health authority for the activity performed by the company;

XXXV - Label: identification printed, lithographed, painted, etched by fire, pressure or self-adhesive, applied directly to containers, packages, wrappers or any external or internal protective packaging, which cannot be removed or changed while using, transporting and storing the product;

XXXVI - Analytical sensitivity: ability of an analytical method to obtain positive results against positive results obtained by the reference method. The lowest amount of analyte which can be measured;

XXXVII - Clinical sensitivity: percentage of positive results obtained when the analyte is present in the sample, and recognizing the presence of a particular disease or condition;

XXXVIII - Applicant: legal entity located in Brazil, manufacturer or importer, which requests registration or enrollment/notification of product for in vitro diagnostic, and takes full legal responsibilities related to the accuracy of information and the quality of the product in the country;

XXXIX - Plant: site where the product manufacture or manufacturing stage takes place, which may be the very legal manufacturer, contract manufacturer or original equipment manufacturer (Original Equipment Manufacturer - OEM);

XL - User: individual, professional or layperson, who can be the very patient using the product;

XLI - Lay user: individual with no formal technical or scientific training for using the product;

XLII - Cut-off value: value of a reference distribution which represents a clinical decision point; and

XLIII - Benchmark: theoretical value or value established under scientific principles that serves as a benchmark agreed for comparison.

CHAPTER II

ABOUT PRODUCTS RISK CLASSIFCATION

Section I

Risk Classes

Art. 4 - For regulation purposes at the ANVISA, products for in vitro diagnostic are classified into the following risk classes:

I - Class I: products showing low risk to individuals and low risk to public health;

II - Class II: products showing medium risk to individuals and or low risk to public health;

III - Class III: products showing high risk to individuals and or medium risk to public health; and

IV - Class IV: products showing high risk to individuals and high risk to public health.

Art. 5 - The risk classification of products for in vitro diagnosis is based on the following criteria:

I - Indication of use specified by the manufacturer;

II - User technical, scientific or medical knowledge;

III - Importance of the information provided to the diagnosis;

IV - Relevance and impact of the results to individuals and to public health; and

V - Epidemiological relevance.

Section II

Classification Rules

Art. 6 - Are classified as Class IV those reagents and devices with the following purposes:

I - To detect the presence of, or exposure to, agent transmitted by blood, its components and derivatives, cells, tissues or organs, in order to assess its suitability for transfusion or transplantation;

II - To monitor or detect the presence of, or exposure to, transmissible agent that causes risk of death or illness, often incurable, with a high risk for spreading.

Art. 7 - Are classified as Class III those reagents and devices intended for testing blood type or tissues in order to ensure immunological compatibility of blood, blood components, cells, tissues or organs intended for transfusion or transplantation.

Sole paragraph. Products for testing ABO system, Rhesus system, Kell system, Kidd system, and Duffy system are classified as Class IV.

Art. 8 - Are classified as Class III those reagents and devices intended for the diagnosis of diseases requiring compulsory notice as provided for in Ordinance No. 1271, as of June 6, 2014, and Ordinance No. 1984, as of September 12, 2014, Health Ministry.

Art. 9 - Are also classified as Class III those reagents and devices intended to:

I - Detect the presence of, or exposure to, sexually transmitted agent;

II - Detect the presence of an infectious agent in cerebrospinal fluid or blood, with limited risk for spreading;

III - Detect the presence of an infectious agent when there is a significant risk for an erroneous result to cause death or severe disability to the individual or fetus;

IV - Prenatal screening to determine the immunological status against transmissible agents;

V - Determine the status of an infectious disease or immunological status when there is risk for an erroneous result to lead to a decision of patient management, resulting in a situation of imminent risk to his life;

VI - Monitor viral load of patients suffering from a generally incurable infectious disease;

VII - Screening, staging and diagnosis of cancer;

VIII - Human genetic testing;

IX - Screening for congenital disorders in the fetus;

X - Control the levels of drugs, substances or biological components when there is a risk for an erroneous result to lead to a decision of patient management, resulting in an situation of imminent risk of death; and

XI - Determination of blood gases and blood glucose by means of point of care testing - PoCT.

Sole paragraph. Other reagents and devices for in vitro diagnosis that are intended for use as point of care testing - PoCT, not listed in item XI of this article, should be independently classified by using the classification rules provided for in this Section.

Art. 10 - Are classified as Class III those products intended for self-testing.

Sole paragraph. Products intended for self-testing in which the result is not decisive for a clinically critical condition, or it is preliminary and requires monitoring with appropriate laboratory test, belong to Class II.

Art. 11. The following products are classified as Class I:

I - Reagents and other items which provide support to in vitro diagnostic procedures;

II - Products intended for calibration, cleaning or maintenance of instruments in service or maintenance and cleaning procedures by trained user as per manufacturer indication specified in the user manual;

III - Culture media and devices intended for identification of microorganisms;

IV - Products for DNA and RNA extraction, providing support to in vitro diagnostic procedures;

V - Samplers or containers for collections, storage and transportation of biological samples for use in laboratory diagnostic tests;

VI - Instrument for preparation and processing of samples for in vitro diagnosis.

Art. 12 - Products for in vitro diagnosis that are not covered by the classification rules provided for in Articles 6 to 11 are classified as Class II.

Sole paragraph. The instruments used for in vitro diagnosis of human samples that generate results or analytical determinations are always classified as Class II, except those instruments intended for self-testing which follow the classification of the respective analytes.

Art. 13 - The products used as calibrators, standards or controls for a specific analyte or multiple analytes with pre-defined quantitative or qualitative values follow the same classification of the main reagent.

Sole paragraph. Calibrators, standards or controls used in cell counters are always classified as Class II.

Art. 14 - If more than one rule is applicable to the same product, with different risk classes assigned, the product must be classified in the highest risk class.

Art. 15 - Are not liable to inclusion as self-test and, therefore, cannot be provided to lay users those products with following purposes:

I - To test samples to check the presence or exposure to pathogens or transmissible agents, including agents that cause infectious diseases subject to mandatory notice;

II -To perform blood type testing;

III - To perform genetic testing to determine the presence or predict the susceptibility to disease or physiological condition;

IV - To assist in the diagnosis or indicate the presence of disease, cardiac and tumor markers, or conditions with serious implications to health; and

V - Indicate the presence of drugs or their metabolites.

Sole paragraph. The prohibition of providing to lay users dealt with in the caput of this article may be revoked by Board Collegiate Resolution, in view of public policies and strategic actions formally instituted by the Ministry of Health and agreed by the ANVISA.

Art. 16 - Classification rules may be updated in view of technological progress and post-marketing information arising from the use or application of products for in vitro diagnosis.

Section III

Control System

Art. 17 - Class I and Class II products for in vitro diagnosis are subject to registration.

Art. 18 - Class III and Class IV products for in vitro diagnosis are subject to registration.

CHAPTER III

ABOUT GENERAL AND DOCUMENTARY REQUIREMENTS

Section I

Petitions for Product Enrollment/notification or Registration

Art. 19 - To file petitions for enrollment/notification or registration of products for in vitro diagnosis the applicant must submit the following:

I - Payment receipt of Health Surveillance Inspection Fee (TFVS) by means of the corresponding Federal Tax Payment Form (GRU) or tax exemption form;

II - Form made available by the ANVISA in electronic petitioning, duly completed;

III - For products classified as risk classes II, III and IV, technical dossier containing the information required for the corresponding risk category;

IV - For domestic products having some outsourced manufacturing step, statement including corporate name and postal address of the company involved and the corresponding steps in the manufacturing process;

V - For all imported products, statement signed by consulate and accompanied by a sworn translation, issued by the legal manufacturer at most two years earlier, when there is no express due date stamped on the document, authorizing the importer to represent and market their products in Brazil, containing at least the following information:

a) Corporate name and full address of the legal manufacturer;

b) Corporate name and complete address of the importer;

c) Express authorization for the importer to represent and market the products in Brazil;

d) knowledge and compliance with the requirements of Good Manufacturing Practices for Health Products established in the Collegiate Board Resolution - RDC No. 16, as of March 28, 2013.

VI - For products classified as class risk III and IV, Certification on Good Manufacturing and Control Practices issued by the ANVISA or proof of filing of application for GMP Certificate; and

VII - When applicable, prior analysis report, considered as satisfactory, elaborated by unit from the National Network of Public Health Laboratories as provided for in section IV, Art. 16, Law No. 6.360, as of September 23, 1976.

§ 1 - Shall not be liable to technical requirement the petition missing documents, which entails summary rejection.

§ 2 - The registration approval is conditional upon the issuance of the Good Manufacturing Practice certificate issued by the ANVISA and upon the compliance with other requirements in this Regulation.

Art. 20 - Products for in vitro diagnosis can be recorded or registered in groupings as family when:

I - They are from the same legal manufacturer, have similar technology, used the same methodology, and were included in the family grouping relationship of products for in vitro diagnosis, published in the Normative Instruction No. 3, of as August 26, 2015; or

II - They are from the same legal manufacturer, have similar technology, use the same methodology, and are interdependent and unique to perform a specific test.

§1 - Reagents, calibrators and controls for a specific test may be provided separately, since they are provided for in such way in the enrollment/notification or registration of product family.

§ 2 - Products which may be used in multiple tests shall be recorded or registered separately as single products.

Art. 21 - At the discretion of the health authority, information regarding clinical research may be requested according to Collegiate Board Resolution - RDC No. 10, of as February 20, 2015.

Section II

Petitions for Changing Product Enrollment/notification or Registration

Art. 22 - For filing petition for changing the enrollment/notification or registration of product for in vitro diagnosis, the applicant must submit the following:

I - Health Surveillance Inspection Fee (TFVS) by means of the corresponding Federal Tax Payment Form (GRU) or tax exemption form;

II - Form made available by the ANVISA, duly completed and identifying clearly and objectively the pleaded change;

III - Documents supporting and proving the pleaded changes compared to earlier versions of documents submitted to the ANVISA; and

IV - Other documents required by the health authority, as per petitioned subject, described in the electronic petitioning system of the ANVISA.

Sole paragraph. Shall not be liable to technical requirement the petition missing documents, which entails summary rejection.

Art. 23 - In case of change requiring the running out of finished products stock, it is allowed the concomitant importing and marketing of the involved versions for up to 180 (one hundred and eighty) days from the approval of the change by the ANVISA.

Sole paragraph. Changes made to solve product safety and efficacy issues do not fall within the permission in the caput of this article, and must be implemented before the sale and distribution of the product.

Section III

Petition for Revalidation of Product Registration

Art. 24 - To file petition for revalidation of registration of products for in vitro diagnosis, the applicant must submit:

I - Payment receipt of the Health Surveillance Inspection Fee (TFVS) by means of the corresponding Federal Tax Form (GRU) or tax exemption form;

II - Form made available by the ANVISA, duly completed;

III - For imported products: certified copy of the legal document as described in item V of Art. 20; and

IV - Certification on Good Manufacturing and Control Practices issued by the ANVISA or proof of filing of application for GMP Certificate.

Sole paragraph. Shall not be liable to technical requirement the petition missing documents, which entails summary rejection.

Art. 25 - Products subject to registration are exempted from revalidation.

Section IV

Petition for Cancellation of Product Enrollment/notification or Product Registration

Art. 26 - The product registration holder or product enrollment/notification holder who intends to no longer market it in the Brazilian market must apply for cancellation upon submission of the form made available by the ANVISA in electronic petitioning duly completed.

Sole paragraph. The cancellation of the enrollment/notification or registration does not relief the holder from the responsibility for the products placed on the market.

CHAPTER IV

ABOUT TECHNICAL DOSSIER

Art. 27 - The technical responsible will take responsibility for the information provided in the technical dossier of the product.

Art. 28 - The technical dossier must be kept up to date by the domestic manufacturer or the importer of the product in its facilities for monitoring purposes by the National Health Surveillance System.

Sole paragraph. The technical dossier of risk class I products must not be forwarded to the ANVISA, however, the domestic manufacturer or importer must keep the information and documents provided for in the Annex of this Resolution for health control purposes.

Art. 29 - The technical dossier must include the following information, according to the risk class:

I - Product description containing the data listed below:

a) Indication of use or intended use:

1. Analyte or measuring;

2. Functionality (screening, monitoring, diagnosis or support to diagnosis);

3. Specific situation, condition or risk factor of interest to be detected, defined or differentiated;

4. Intended user (professional or lay user);

5. Environment or point of use;

6. Single or multiple use;

7. Automated, semi-automated or non-automated;

8. Qualitative or quantitative;

9. Type of sample requested; and

10. Where applicable, test target population;

b) detailed description of the test method principle or instrument operation principles;

c) Risk class where the product fits;

d) Description of product components and, where applicable, description of active ingredients of the components;

e) Description of commercial presentation and packaging (primary and secondary);

f) Where applicable, for automated testing, description of characteristics of the required instrument or dedicated instrument;

g) Where applicable, indication of the software to be used with the product for in vitro diagnosis;

h) Where applicable, description or complete list of features / variations of the product for in vitro diagnosis that will be available;

i) Where applicable, description of accessories, other products for in vitro diagnosis and any other products which must be used in combination with the target product; and

j) Indication of those countries in which the product has authorized or approved marketing;

II - Product images (photographs, drawings or diagrams of the product or assembly of its components);

III - Product risk management report (risk analysis and risk reduction measures);

IV - Where applicable, the list of adopted technical standards;

V - Compliance Certificate issued under the Brazilian System of Compliance Assessment (SBAC) for instruments with compulsory certification, listed by the ANVISA in specific regulations;

VI - Performance studies containing, where applicable:

a) biological samples:

1. Characterization and validation of clinical specimens used; and

2. Storage and stability conditions of the samples;

b) Determination of metrological traceability of calibrators and controls values;

c) Measurement accuracy;

d) Measurement precision, including:

1. Repeatability; and

2. Reproducibility;

e) Analytical sensitivity or detection limit;

f) Analytical specificity;

g) High-dose prozone effect;

h) Measuring range (limits) or linearity;

i) Definition of cut-off value;

j) Validation report of the test procedure;

k) Validation report of the cleaning and disinfection procedure for instruments that require direct contact with the patient or lay user; and

l) Usability report for products intended for lay users;

VII - Product stability (except instruments), including:

a) Expiration date established from study on at least three (3) batches of product (protocol, acceptance criteria, results, conclusion and recommended storage conditions);

b) Stability of the product in use - after opened or installed in instrument (protocol, acceptance criteria, results, and conclusion); and

c) Transport or shipping stability (protocol, eligibility criteria, conclusion, and recommended transport conditions) when the transport or shipping are performed under conditions different from storage conditions;

VIII - Clinical performance, where applicable, including:

a) overview of clinical evidences, including clinical sensitivity and clinical specificity;

b) expected values or reference values;

c) assessment report of clinical evidences;

IX - Labeling and instructions for use containing:

a) Pictures of the set of primary and secondary labels expected to be applied to products as per requirements stated in Chapter V of this Resolution;

b) Product instructions for use, as per requirements stated in Chapter V of this Resolution; and

c) For instruments, technical manual or operator manual.

X - Addresses of factories, including those of outsourced steps or steps contracted by the legal manufacturer; and

XI - Manufacturing processes containing the production process flowchart detailing the manufacturing stages or steps until obtaining the finished product, including in-process control steps and finished product testing, identifying plants, where applicable.

Sole paragraph. For cases in which stability studies are presented using the accelerated model, real-time data from the study should be submitted at the registration revalidation.

Art. 30 - The need for provision of information required for each item of the technical dossier, according to risk classes, is indicated in the Annex of this Resolution.

Sole paragraph. For technical reasons, in order to prove the safety and efficacy of the product, due to potential risk to health or also to products

considered strategic for the Ministry of Health, the ANVISA may require the submission of additional documents and information.

CHAPTER V

ABOUT LABELING REQUIREMENTS AND INSTRUCTIONS FOR USE

Art. 31 - Labels and instructions for use must be able to identify the product and its legal manufacturer, as well as to point out information on the safety and efficacy of the product to the user, professional or layperson.

Art. 32 - The language used on labels and instructions for use must be compatible with the technical knowledge, experience, education or training of the intended user.

§1 - It is allowed to use standardized international symbols for labels and instructions for use of health products, according to standard ABNT NBR ISO 15223 - "Health Products - Symbols to be used on labels, labeling, and information to be provided on health products".

§2 - Symbols on products intended for laypersons must be accompanied by caption.

§3 - It is allowed, in professional products, the use of symbols other than those provided for in standard ABNT NBR ISO 15223, provided it is accompanied by caption.

§4 - The use of graphs and charts in instructions for use is allowed provided they facilitate the users' understanding.

Art. 33 - The use of instructions for use in non-printed form must follow that provided for in Normative Instruction No. 4, as for June 15, 2012.

Art. 34 - The labeling of the product must be in Portuguese or make use of appropriate symbols.

§1 - The secondary labeling (external) of products for in vitro diagnostic must contain the following information:

I - Technical name or trade name of the product;

II - Details required enabling the user to identify the product and its use;

III - Corporate name and address of the legal manufacturer;

IV - Corporate name, address and CNPJ of the applicant;

V - Name of the technical responsible with initials and registration number at the professional authority;

VI - Registration or enrollment/notification number at the ANVISA preceded by the acronym MS;

VII - Statement that the product is for "in vitro diagnostic use";

VIII - When intended for laypersons, the terms "Read carefully these instructions for use before performing the test" and "Self-test for (specify parameter or condition to which the test is intended), without diagnostic purposes";

IX - Number, batch code or serial number preceded by the term that identifies it, or equivalent symbols;

X - Clear indication of the date by which the product can be used, except for instruments;

XI - Indication of storage conditions, and can also be mentioned specific conditions for transport and / or handling;

XII - If the product is supplied sterile, indication of status and the sterilization method;

XIII - Warnings or precautions to be taken by the user of the product;

XIV - Where relevant, whether the product is for single use, and whether there is potential for reuse, indication of such fact; and

XV - List of components which compose the product, informing the respective quantities.

§2 The primary labeling of products for in vitro diagnostic, except instruments, must contain the following information:

I - Technical name or trade name of the product and component indication;

II - Batch number or code preceded by the term that identifies it or equivalent symbols;

III - Clear indication of the date by which the product can be safely used;

IV - Indication of the appropriate storage conditions of the product.

§3 - The primary labeling of the instruments shall be indelible and contain the following information:

I - Technical name or trade name of the product and commercial model;

II - Serial number preceded by the term that identifies it or equivalent symbols;

III - Identification of the legal manufacturer;

IV - Registration or enrollment/notification number at the ANVISA.

Art. 35 - The instructions for use of products for in vitro diagnostic must be in Portuguese and contain the information listed below:

I - Technical name or trade name of the product;

II - Corporate name and address of the legal manufacturer, along with a telephone number or fax or website address from which you can get technical support (Customer Service);

III - Product purpose and mode of use, including indication that it is for "in vitro diagnostic use";

IV - Intended user, where applicable;

V - Indications of storage conditions or applicable handling;

VI - Operating principle of the test or instrument;

VII - Types of samples and matrices to be used, where applicable;

VIII - Conditions for sampling, handling, preparation, and preservation of samples;

IX - Product description, including accessories and any limitations for use, such as the use of dedicated instrument, and software version, where applicable;

X - In-use stability of the product, except for instruments, including storage conditions after opening primary packaging, and storage conditions and stability of working solutions, where relevant;

XI - Details of any processing or handling of the products before they are ready for use, such as installation, reconstitution, calibration, among others;

XII - Where applicable, recommendations for quality control procedures;

XIII - Test procedure, including calculations and interpretation of results;

XIV - Information on interfering substances or limitations that may affect the test performance;

XV - Performance features, such as sensitivity, specificity, accuracy, and precision, except for instruments;

XVI - Residual risks identified;

XVII - Reference intervals, where applicable;

XVIII - Where relevant, special facilities requirements (such as clean room) or special training (as in radiation safety) or specific product-user qualifications;

XIX - If the product is supplied sterile, instructions on what to do if the packaging is damaged before use;

XX - Information from other products, materials or instruments required to perform the test or reaction;

XXI - Warnings or precautions to be taken regarding the disposal of the product, its accessories, and consumables used, including risks of infection or microbiological, physical and environmental risks;

XXII - For products intended for laypersons, the circumstances in which the user should consult a health professional;

XXIII - Date of issue or latest revision of the instructions for use and, where appropriate, a numeric ID; and

XXIV - Indication of product terms and conditions of quality assurance.

CHAPTER VI

ABOUT ENROLLMENT/NOTIFICATION OR REGISTRATION CANCELLATION

Art. 36 - The ANVISA will cancel the enrollment/notification or registration of product for in vitro diagnosis in the following cases:

I - Upon proof of false information provided or cancellation of any of the documents listed in Chapter III; or

II - Upon proof that the product or manufacturing process may pose risk to consumer, patient, operator or third party health.

CHAPTER VII

ABOUT FINAL AND TRANSITIORY PROVISIONS

Art. 37 - The maintenance of regularization of all products for in vitro diagnosis is bound to compliance with requirements of Good Manufacturing Practices, applicable technical standards, and specific standards, where appropriate.

Art. 38 - The proceedings for registration of product for in vitro diagnosis granted prior to the effective date of this Resolution shall be adjusted or supplemented at their revalidation.

Sole paragraph. Products registered in risk class II until the effective date of this Resolution start being considered as registered, keeping the same enrollment/notification identification number without the need for revalidation.

Art. 39 - The documents listed in sections III, IV and V of Art. 19 shall be added to the proceedings containing petitions pending analysis.

Art. 40 - The maintenance of consistency between the information related to products and those stated in the registration process or enrollment/notification is the responsibility of the requesting company.

Art. 41 - Documents mentioned in this Resolution which are issued in a foreign language must be translated into Portuguese.

Sole paragraph. Are exempted from translation the documents composing the technical dossier, indicated in Art. 29, according to the rules defined in the Collegiate Board Resolution - RDC No. 25, as of June 16, 2011, and RDC No. 50, as of November 6, 2013.

Art. 42 - Failure to comply with the provisions in this Resolution constitutes sanitary infraction, pursuant to Law No. 6437, as of August 20, 1977, without prejudice to applicable civil, administrative, and criminal liabilities.

Art. 43 - It revokes, from the entry into force of this Resolution, the Collegiate Board Resolution - RDC No. 206, as of November 17, 2006, and Collegiate Board Resolution - RDC No. 61, as of November 18, 2011.

Art. 44 - This Resolution shall enter into force sixty (60) days after the date of its publication.

Sole paragraph. It establishes the period of 365 (three hundred and sixty five) days from the date of publication of this resolution for adjustments in labels, product instructions for use, and maintenance of the technical dossier, according to criteria defined in Articles 29 and 30.

JARBAS BARBOSA DA SILVA JR.

ANNEX

Technical Dossier	**Class I**	**Class II**	**Class III**	**Class IV**
Product Description	All applicable criteria in Art. 29, item I.			
Product images	Required for all classes			
Risk management	Summary or simplified table			
Adopted technical standards	List			
Compliance Certificate for instruments	Updated document / valid			
Performance Studies				
Biological samples	-	Report	Report	Report
Metrological traceability of calibrators and controls	-	Report	Report	Report
Measurement accuracy	-	Report	Report	Report
Measurement precision	-	Report	Report	Report
Analytical Sensitivity	-	Report	Report	Report
Analytical Specificity	-	Report	Report	Report
High-dose prozone effect	-	Report	Report	Report
Measurement Limits	-	Report	Report	Report
Setting cut-off value	-	Report	Report	Report
Validation of test procedure	-	Report	Report	Report
Validation of cleaning and disinfection of instruments	-	Report	Report	Report
Usability	-	Report	Report	Report
Product Stability				
Expiration date	Report	Report	Report	Report
In-use product stability	Report	Report	Report	Report
Transport or shipping stability	Report	Report	Report	Report
Clinical Performance				
Overview of clinical evidences	-	-	Report	Report
Expected values or reference values	-	-	Report	Report
Evaluation report of clinical evidences	-	-	Report	Report
Clinical trials specific to the product	-	-	Report	Report
Labeling and Instructions for Use	Required for all classes			
Plants addresses	Identification of plants with complete addresses			
Manufacturing processes	Flowchart			

Note 1 - In the items identified as **report** the following are expected to be presented:
- description of the protocol used;
- study results; and
- study conclusions.

Note 2 - For technical reasons, in order to prove the safety and efficacy of the product, the ANVISA may require the submission of additional documents and information.

Note 3 - The technical dossier for risk class I products should not be forwarded to the ANVISA, however it must be kept updated by the domestic manufacturer or importer of the product in its facilities for monitoring purposes by the National Health Surveillance System.