

# Requirements for in vitro diagnostic kits measuring parameters which can be used for evaluating the risk of trisomy 21

**Description of problem**

**Problem 1)**

In vitro diagnostic kits for the detection of parameters, which can be used in the risk assessment of trisomy 21, e.g. AFP, hCG, hCG-beta, estriol and PAPP-A, are put on the market, either through the procedure referred to in Annex III (declaration of conformity by the manufacturer, as for products not belonging to Annex II), or through the procedure for products listed in List B in Annex II (Annex IV, or Annex V + either Annex VI or Annex VII).

**Problem 2)**

In vitro diagnostic kits for the detection of the parameters used in the risk assessment of trisomy 21, are put on the market as Annex II products, without proper software, and without a linked and validated software.

**Consensus statement:**

**1)**

The manufacturer may choose to put the kits for the detection of AFP, hCG, hCG-beta, estriol and PAPP-A on the market, with no intended use of risk evaluation of trisomy 21.

In that case, kits detecting AFP, hCG, hCG-beta, estriol and PAPP-A, which are not specifically intended for the risk evaluation of trisomy 21, may be placed on the market following Annex III. In that case "this kit is NOT intended to be used for the risk evaluation of trisomy 21" is mentioned in the insert or on the package.

Also, no information concerning the measured parameter in the risk evaluation of trisomy 21 can then be included in the instructions for use.

**2)**

Stand alone IVD kits providing data which can be used in the risk evaluation of trisomy 21, cannot be proposed as products specifically designed for evaluating the risk of trisomy 21 (definition in Annex II), if there is no linked and validated software. Therefore, if it is specified in the users manual as being a parameter to evaluate the risk of trisomy 21, then at least one software, designated specifically for evaluating the risk of trisomy 21, should be identified as a safe and proper combination tool.

**Rationale**

**Problem 1)**

A clear distinction towards the end user should be made. The end user does not have the knowledge to make a distinction between a CE mark with or without the identification number of a notified body.

**Problem 2)**

If the intended use of the IVD kits detecting AFP, hCG, hCG-beta, estriol and PAPP-A is being specifically designed for evaluating the risk of trisomy 21, it implicates the use of a risk analysis software. Indeed, the IVD kits on their own are not able to provide any risk evaluation of trisomy 21. Therefore, this software, used in combination with the kits detecting AFP, hCG, hCG-beta, estriol and PAPP-A, in order to provide the intended information concerning a congenital abnormality, can either be considered as an IVD 'system' (Directive 98/79/EC, Article 1, §1(b)), or an 'accessory' (Directive 98/79/EC, Article 1, §1(c)) to these IVD kits.

Concerning the use of combinations, the Directive 98/79/EC (Annex 1, §8) states:

8.7 Where appropriate, the instructions for use must contain the following particulars:

(m) if the device must be used in combination with or installed with or connected to other medical devices or equipment in order to operate as required for its intended purpose, sufficient details of its characteristics to identify the correct devices or equipment to use in order to obtain a safe and proper combination;

