



Regulatory Compliance and ACell Vet™ Veterinary Medical Devices

All ACell Vet™ UBM products, regardless of form (sheet, granule, powder, gel) are medical devices and are manufactured in the United States under a Quality Management System that is based on the FDA's Good Manufacturing Practices (21 CFR Part 820). Use of the ACell Vet UBM products in veterinary treatments according to the product instructions is fully compliant with U.S. FDA laws and regulations.

ACell Vet UBM Products are Medical Devices, Not Drugs

The ACell Vet UBM products, as well as similar products produced by other manufacturers, are classified under FDA regulations as medical devices regardless of whether the intended use is for humans or animals. While medical devices intended for human use require the FDA's premarket review (unless they are exempt), devices for veterinary use do not require premarket approval. The following quotes are from the FDA's Center for Veterinary Medicine webpage:

- *"Pre-market Approval is Not Required: The FDA does not require submission of a 510(k) or formal pre-market approval for devices used in veterinary medicine."*
- *"FDA does have regulatory oversight over veterinary devices and can take appropriate regulatory action if a veterinary device is misbranded, mislabeled or adulterated."*

ACell Vet has conducted the requisite testing to ensure that its products are safe, effective and properly labeled, and ACell Vet has implemented and practices manufacturing and quality systems designed to ensure that its products are not misbranded, mislabeled or adulterated.

Regulatory Precedents for ACell Vet Veterinary Devices

- **Acellular Animal Tissue:** The FDA considers materials that are derived from acellular animal tissues to be medical devices, regardless of their intended use. ACell Vet products are derived from acellular animal tissues; specifically, porcine urinary bladder tissue. There are multiple devices on the market for human use that consist of bovine and porcine materials; some of these are for topical use and many are implanted or injected. Examples: porcine heart valves; bovine collagen used in hemostatic agents; porcine wound dressings and meshes for a variety of uses including neurosurgical, cardiovascular & orthopedic applications. ACell, Inc. has two FDA clearances, under medical device regulations, for use of its UBM products as wound dressings.
- **Implants:** Medical devices from acellular animal tissues can include implanted materials. The FDA has cleared for market multiple devices for a variety of "implant" uses. ACell, Inc. recently received FDA clearance to market a UBM based surgical mesh for soft tissue repair. While this is in a sheet form, it is an implanted material; thus the FDA has evaluated biocompatibility and other safety and efficacy data that supported that product application.
- **Injectables:** There also are many other types of materials for a variety of medical uses, provided in a granular, powder, gel or liquid form that the FDA regulates as medical devices. A few examples are: injectable bone cements for repair of neurosurgical burr holes; a variety of bone void fillers for use in the extremities, spine and pelvis; injectable gel composed of hyaluronic acid for cosmetic purposes; and an injectable cyanoacrylate liquid embolic system to be used for embolization of cerebral arteriovenous malformations.

Safety and Effectiveness Evaluation for the ACell Vet Injectable UBM Powder

ACell Vet has collected the requisite data regarding safety and effectiveness of injectable UBM powder, including a study which evaluated ACell Vet UBM powder in treating horses for musculotendinous/ligamentous repair. Results showed evidence on ultrasound of soft tissue healing and quicker return to activity, with a host response characterized by mild local signs of inflammation, but no infection or adverse reactions. Additional study information is available from ACell Vet.

Please direct questions to ACell's general counsel, Miles Grody, Esq. at (301) 983-6830.