Quick Reference Guide

1. Prepare the lancet.

   a. Simply twist off the lancet cap: Hold the lancet body and twist off the lancet cap until you feel it separate from the device.

   b. Do not pull, just twist the lancet cap. Dispose of the cap in a suitable container.

   NOTE: This device is single-use. The needle retracts immediately after sampling. This leaves the device safe for immediate disposal into a sharps container.
Quick Reference Guide

2. Insert a Test Strip.

Insert Test Strip: Automatic System Check begins.

User Profile Number displays: use Search key to select profile.
Quick Reference Guide

3. Prepare the Puncture Site.

c. The best puncture sites are on the middle or ring finger. Clean the finger tip **thoroughly** with soap and water. Then dry thoroughly.

d. Place the auto-Lancet against the pad of the finger, press the release button, remove the device from the finger.

e. Wait a few seconds for a blood drop to form. Wipe off the first drop with a clean tissue. Squeeze the finger to form a second drop of blood. **Do not squeeze vigorously.**
Quick Reference Guide

4. Add Blood to Test Strip.

When the second blood drop appears, touch the end of the test strip to the blood drop until the well of test strip is full and the meter beeps.

The on-screen Blood Drop flashes on and off repeatedly until sufficient blood has been added to the test strip.

The Lactate result is available on-screen in 13 seconds.
Nova Biomedical recommends that the user of this device read this manual and accompanying product inserts completely before performing blood measurements.

**Intended Use**
The Lactate Plus Meter System is intended for use by healthcare professionals to quantitatively measure lactate in whole blood to evaluate physical performance and/or to establish a proper intensity of exercise for athletes. The device system is for *in vitro* diagnostic use only. The Lactate Plus sport meter is NOT intended for use in the diagnosis, treatment, or monitoring of disease or other conditions associated with lactate values in whole blood. The meter is intended for use by healthcare professionals to quantitatively measure lactate in whole blood to evaluate physical performance and/or to establish a proper intensity of exercise for athletes.
Symbols

The following are symbols that are used in this manual, on insert sheets, and on the Lactate Plus Meter.

**IVD**  *In vitro* diagnostic medical device

**LOT**  Lot Number

**EC REP**  Authorized Representative in the European Community

**Electronic Waste**

Product fulfills the requirements of Directive 98/79 EC (IVDD)

**Catalog number**

Caution, consult accompanying documents

**Temperature limitation**

Consult instructions for use

**Upper Limit of Temperature**

Biological risk

**Manufactured by**

Use By
Warnings, Cautions, and Notes

NOTES provide important or helpful operating information.

CAUTIONS provide information that is important for instrument protection.

WARNINGS provide information that is important for user protection or about risk for inaccurate results.
Introduction

The Lactate Plus Meter

**WARNING:** Blood samples and blood products are potential sources of hepatitis and other infectious agents. Handle all blood products with care. Wear gloves when performing measurements on another person. Items that are used to measure lactate, i.e., test strips, lancets, and alcohol swabs, must be disposed of in accordance to local regulations to avoid risk to anyone.

**WARNING:** Please keep the Lactate Plus Meter and its accessories out of reach of small children to prevent accidents through improper handling and to avoid the risk of small parts being swallowed.
Introduction
The Lactate Plus Meter is a hand-held testing device that measures lactate (Lac) in whole blood. The test strip is touched to a drop of blood to initiate the test process.
• A simple one-step process provides a blood lactate result.
• Test result is available in 13 seconds.
• There is memory for one common user’s set of test results (20):
  Nine specific users’ set of test results (10 each);
  Two sets of Quality Control (QC) results (10 each)
• The unit is powered by a battery that can perform for approximately 600 tests.
Introduction

Lactate Plus Meter Screen

- User Profile Number
- Quality Control Indicator
- Low Battery Indicator
- Blood or Control Drop Indicator
- Beeper ON Indicator
- User Profile ICON
- Lactate Test Result (in mmol/l)
- Test Result in Memory Indicator
- Average Test Result
- AM or PM Indicator
- Date/Day Hour/Minute

Introduction

Average Test Result

Lactate Plus Meter PN 41293D
Introduction

**CAUTION:** The meter should be handled with care. Dropping, rough handling, etc. may damage the meter. Also, protect the meter from moisture, prolonged direct sunlight, and high temperatures.

Overview
To perform a test, the operator simply inserts a test strip; places a drop of sample onto the test strip; and obtains a lactate test result in 13 seconds. The test result is automatically stored into the meter’s memory. The operator can recall, delete, and review test data resident in the meter, including the average for each control and user profile’s results.
Introduction

Meter, Supplies, Transport Case

The Nova Lactate Plus Meter (40828) comes in a soft carrying case that includes:

1. Lactate Plus Meter with Battery
2. Instructions for Use Manual
3. Quick Reference Guide

See Page 48 for a listing of supplies and accessories.
Introduction

Environmental

• The storage temperature range for the Meter: -13°F to 115°F (-25°C to 46°C)
• The storage temperature range for the Test Strips and Control Solutions: room temperature - 15°-30°C/59-86°F
• The meter operational temperature range for Lactate: 41°F to 113°F (5°C to 45°C)
• The relative humidity range: 10% to 90% non-condensing
Setup

Set the Time

• Press the MODE button for longer than 3 seconds. The meter if in Sleep Mode wakes up and enters the SETUP Mode.

• View the hour (flashing) format: either 12 Hr or 24 Hr by pressing the SEARCH button to toggle between the 2 time format options available.

• Press the SELECT button to choose the Hour Format.

• The meter displays the current time or the default time: 12:00 AM or 0:00 (hours).

• Press the SEARCH button to progress from 1AM to 12PM (for 12 Hr Clock) or 0 to 23 (for 24 Hr Clock). The hour digits will be flashing until selected.
Setup

• Press the SELECT button to select the displayed Hour choice.

• Next set the minutes. Press the SEARCH button to progress from 00 to 59 minutes. The minute digits will be flashing until selected.

• Press the SELECT button to select the displayed Minutes choice.
1a. Select 12 Hour, then select hour with AM/PM.

1b. Or Select 24 Hour, then select hour.

2. Select minutes.
Set Date Format

• After the time has been set up, set date format is next. The display is 12-31 2004 or 31.12 2004.
• You can choose to have the date as DD.MM or MM-DD. These digits will be flashing until selected. Press the SEARCH button to toggle between DD.MM or MM-DD.
• Press the SELECT button to select the displayed Date Format choice.
• Press the SEARCH button to display years from 2004 to 2099. The year numbers will be flashing. Displays current date/time or default (1-01 2004).
• Press the SELECT button to select the displayed Year choice.
Setup

- The date is displayed as selected in the date format: either DD.MM or MM-DD.
- Press the SEARCH button to progress through the 12 months (1 to 12). The 2 month numbers will be flashing.
- Press the SELECT button to select the displayed Month choice.
- Lastly, press the SEARCH button to progress through the days of a month: 1 to 31. The 2 day numbers will be flashing.
- Press the SELECT button to select the displayed Day choice.
3. Select Date format: **MM-DD** or **DD.MM**.

4. Select Year with **Search button**.

5. Select Month.

Setup

Beeper On or Off

- Next is the Beeper on or off. Press the SEARCH button to toggle between ON and OFF (flashing).
- Press the SELECT button to select the displayed ON or OFF choice.

7. Select Beeper ON or Beeper OFF.
Setup

End of Setup

• The screen displays END.
• Press the MODE button for 1.5 seconds to save the setup configuration.
• The meter will power down. The new settings will be applied once the meter is powered back up.

8. End of Setup
NOTE: Before running a blood or quality control test, check that the expiration date of the test strips and control solution has not elapsed. (See product insert sheets for details.)

The control solution test results should fall within the range of results printed on the label of the control solution. You should run a control solution test:

- Before using your Nova Lactate Plus Meter for the first time and at least once a week thereafter
- Each time you open a new box of Nova Lactate Test Strips
- If you leave the Nova Lactate Test Strip vial cap open for an extended period of time
- If you drop your Nova Lactate Plus Meter
- If your results are higher or lower than expected

User should follow the appropriate Federal, State, and Local Guide Lines concerning the running of external quality controls.
Testing: Blood and Quality Control Solutions

Testing a Quality Control Solution

1. Grasp a test strip with logo side up and gold side down. Then insert the gold end into the meter. (See Meter figure.)

2. Identify the sample as a control; use the SEARCH button to find the desired control level: CrL 1 or CrL 2.

3. Shake the control solution well before each use. Discard the first drop.

4. Place a drop of control solution from the bottle at the end of the test strip until the solution is drawn into the well of the test strip.

NOTE: The on-screen Control Drop flashes on and off repeatedly until sufficient control solution has been added to the test strip.
Testing: Blood and Quality Control Solutions

5. A Lactate quality control test result is available on-screen in 13 seconds.

6. The result is automatically stored into memory.

7. If this result is not needed, press the SELECT button for 2 seconds to go to delete (flashes) mode (while the test strip is still in place).

8. Press SELECT again to confirm deletion or press SEARCH to stop deletion and exit the delete mode.
Testing: Blood and Quality Control Solutions

Important Safety Instructions

Standard Precautions should be adhered to when handling or using the Nova Lactate Plus Meter to reduce the risk of disease transmission.

All parts of the Nova Lactate Plus Meter are considered potentially infectious and can potentially transmit blood-borne pathogens between patients and healthcare professionals. Only auto-disabling, single-use lancing devices may be used with this system.

The Nova Lactate Plus Meter may only be utilized for testing on multiple patients when Standard Precautions are followed and when the system is cleaned and disinfected after use on each patient following the procedure in Cleaning and Disinfecting the Meter section.
Healthcare professionals should wear a new pair of protective gloves before testing each new patient.

For more information, refer to the following references:
Testing: Blood and Quality Control Solutions


Testing: Blood and Quality Control Solutions

Testing a Blood Sample

**NOTE:** The hands should be warm and relaxed. Obtain blood sample from a finger.

1. Check that the expiration date of the test strips has not elapsed.
2. Wash hands with water then dry thoroughly. Alternatively, use alcohol pads to clean area 3 times; dry thoroughly after each cleaning.
3. Grasp a test strip. Insert the gold end into the meter.
4. Select a profile number; use the SEARCH button to find the Profile Number (P0 to P9).
NOTE: Cleaning of the puncture site is important. Sweat left on the fingers may cause falsely high lactate test results.

5. Holding hand downward, massage finger with thumb toward tip to stimulate blood flow.
6. Use the lancet to puncture the finger.
7. Wipe off the first drop with a clean tissue. The first drop may be contaminated.
8. Squeeze the finger to form a second drop of blood. To avoid collection of interstitial fluid as well as blood, do not squeeze vigorously
9. When the second blood drop appears, touch the end of the test strip to the blood drop until the well of test strip is full and the meter beeps.
Testing: Blood and Quality Control Solutions

NOTE: The on-screen Blood Drop flashes on and off repeatedly until sufficient blood has been added to the test strip.

10. If subject has to immediately return to exercise and puncture site is still bleeding, apply light pressure with a cotton pad or tissue until the bleeding stops or cover with a bandage.

11. The Lactate result is available on-screen in 13 seconds.

12. The result is automatically stored into memory.

13. If the result is not needed, press the SELECT button for 2 seconds to go to delete (flashes) mode (while the test strip is still in place).

14. Press SELECT again to confirm deletion or press SEARCH to stop deletion and exit the delete mode.
Testing: Blood and Quality Control Solutions

WARNING: Once a disposable item, i.e., lancet, test strip, alcohol swab, etc., has been used, it is considered contaminated. Dispose of all contaminated materials in accordance with local regulations. Equipment such as lancets and tissues must be used only once and then disposed of even when repeated measurements are being made on the same subject.

Reference
Lactate Plus Meter with Display Results

Profile Number

Lactate Result

Date

Time

Lactate Plus Meter with Display Results
Data Review

Data Review

**NOTE:** If a test strip is inserted while in the Data Review mode, the meter immediately switches to test mode. If you then exit the test mode, the meter screen goes blank - the meter does not return to the Data Review mode.

Manually Reviewing Stored Test or Control Results

1. With the meter off, press the MODE button for 2 seconds. (To turn the meter off, press the MODE button for 1.5 seconds.)
2. The most recent test result in the last user’s profile is displayed.
3. Use the SEARCH button to scroll back through the user’s test results.
4. Press the MODE button to advance to the user profile (P0 to P9) or control level (*1 or *2) that you want to review.

5. Press the SEARCH button to review the test results for the selected user or the control level.
Basic Upkeep

Battery Replacement
The meter is powered by a single 3V coin cell battery, 2450. Replace the battery as follows:
1. Remove the back battery cover on the meter.
2. Remove the battery and replace with a new one with the + side facing up.
3. Replace the battery cover.
4. Go to set up, and reset the time and date.

Low Battery

Replacing Battery
WARNING: Cleaning is not the same as disinfecting. Cleaning means to remove protein or other contaminants from the surface. Disinfecting means to kill or prevent the growth of disease-carrying micro organisms.

The Nova Lactate Plus Meter should be cleaned and disinfected after each patient use over the intended 3 year use-life of the Meter. The Nova Lactate Plus Meter cleaning and disinfecting procedure was validated a total of 10,950 times by Nova Biomedical to simulate 3 year use-life of the Meter. The validation testing corresponded to cleaning and disinfecting 10 times a day for 3 years.
Basic Upkeep

Acceptable Cleaning and Disinfecting Materials
Nova Biomedical recommends the use of Clorox Healthcare® Bleach Germicidal Wipes, EPA Registration #67619-12, or any disinfectant product with EPA Registration #67619-12 may be used.

Meter Cleaning and Disinfection Procedure
Clean and disinfect after each patient use by following this protocol to help ensure effective cleaning and disinfection. Cleaning is not the same as disinfecting. Cleaning is intended to remove protein, visible blood, bodily fluids and soils from the external surfaces. Disinfecting means to kill or prevent the growth of disease carrying microorganisms.

The Nova Lactate Plus Meter should be cleaned and disinfected after each patient use to minimize the risk of trans-
Basic Upkeep

mission of blood-borne pathogens between patients and healthcare professionals. Healthcare professionals and others should follow Good Laboratory Practice guidelines and these important safety instructions. Healthcare professionals should ensure they are wearing protective gloves when disinfecting the meter and should wash their hands thoroughly with soap and water after handling the meter.

Basic Upkeep

NOTE: Cleaning and disinfection may in rare cases damage the device(s). Meter damage may include plastic housing cracks, cloudiness, or frosting of the display, legibility or response issues with the keypad, or battery compartment fluid leakage. Signs of Meter performance deterioration may include failure to recover proper control results or the inability to perform a blood test. If you observe damage due to cleaning and disinfecting, please stop using the Meter and contact Customer Service.

Cleaning and Disinfecting the Meter

NOTE: To properly clean and disinfect the Meter, steps 1 to 5 should be performed together before testing on each patient.
Basic Upkeep

1. Clean the Meter.
   • Wipe the external surface of the Meter thoroughly with a fresh Germicidal Wipe.
   • Discard the used wipe per Step 4.

2. Disinfect the Meter.
   • Remove another fresh Clorox Germicidal Wipe from the canister. Thoroughly wipe the top, bottom, left, and right sides of the Meter avoiding the Test Strip port by wiping the surface a minimum of 3 times horizontally followed by 3 times vertically.

3. Observe surface contact time.
   • Ensure the Meter surface stays wet for the recommended time and is allowed to air dry for an additional 1 minute.
Basic Upkeep

**NOTE:** If you must rewet the surface of the Meter, use a new, fresh wipe.

4. Dispose of wipes
   - Dispose of the used germicidal wipes in a standard waste container.

5. Wash and sanitize hands.
   - Wash your hands thoroughly with soap and water.
Basic Upkeep

Disposal of Used Batteries for Customers in Europe:

• This symbol on the battery label indicates that the battery provided with the meter should not be treated as household waste. To ensure the used battery is treated properly, remove the used battery from the meter and hand over the used battery to the applicable collection point for the recycling of electrical and electronic equipment.

Disposal of Used Meters for customers in Europe:

• The meter may become infectious during the course of use. Discard in accordance with local regulations for biohazardous waste.
## Error Messages

This section addresses the messages that appear on your displays, what they mean, and what action you need to take.

<table>
<thead>
<tr>
<th>Code</th>
<th>Alerts</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-0</td>
<td>Software error detected</td>
<td>Perform the test again. If you get the same error, call Nova Technical Support.</td>
</tr>
<tr>
<td>E-1</td>
<td>Hardware error detected</td>
<td>Perform the test again. If you get the same error, call Nova Technical Support.</td>
</tr>
<tr>
<td>E-2</td>
<td>Meter temperature is outside of the range for testing</td>
<td>Move the meter to an area where the temperature is acceptable (41°-113°F), allow meter to adjust to the temperature. Repeat testing.</td>
</tr>
<tr>
<td>E-3</td>
<td>Defective or previously used test strip is detected</td>
<td>Repeat test with a new test strip.</td>
</tr>
<tr>
<td>E-4</td>
<td>A short sample (control solution or blood) is identified</td>
<td>Repeat test with a new test strip and adequate sample.</td>
</tr>
<tr>
<td>LO or HI</td>
<td>If test results are outside of the measuring range of the meter</td>
<td>Repeat test. If you get the same result, consult your physician.</td>
</tr>
<tr>
<td>⚠️</td>
<td>Battery level is low</td>
<td>Replace the battery.</td>
</tr>
</tbody>
</table>
Appendix

Specifications

Tests Measured: Blood Lactate
Lactate Methodology: Lactate oxidase biosensor
Lactate Test Results: mmol/L (Plasma values)
Sample Type: Whole blood
Lactate Test Range: 0.3 to 25.0 mmol/L
Limit of Detection: 0.12 mmol/L
Limit of Quantitation: 0.12 mmol/L
Test Time: 13 seconds
Test Strip Volumes: 0.6 µL
Battery Life (nominal): 600 Tests
Data Output Port: Serial
Data Output Cable (optional)
Appendix

Operating Ranges:
  Temperature  Lactate  41° to 113°F (5° to 45°C)
  Humidity     10% to 90% relative humidity
  Weight       2.65 oz (75 g)
  Size         3.6x2.3x0.9 in
                (91.4x58.4x22.9 mm)

On-board data storage files:
  1 common file for 20 tests
  9 additional user files for 10 tests each
  2 control files, 10 tests each
Appendix

Accessories:
Vial of Test Strips (25) (REF 40813)
Lactate Plus Control Solution, Level 1 (REF 40815)
Lactate Plus Control Solution, Level 2 (REF 40814)
PC Data Communication (upload) Cable (REF 41235)
Soft Carrying Case (41266)
Battery (DL2450) (REF 41221)

Performance Characteristics
The test result range for Nova Lactate Plus Meter is 0.3 to 25.0 mmol/l for lactate.
Appendix

Accuracy
Accuracy of the Lactate Plus Meter system was assayed at clinical sites by comparing lactate results obtained by Lactate Plus Meter vs YSI Reference method from subjects at clinical sites. Blood lactate measurements obtained from Nova Lactate Plus Meter were compared with the same subjects’ results from the YSI, a laboratory reference method. The latter results were plasma-derived values from a blood sample measured on a YSI 2300 Stat Plus Analyzer.

- Number of Samples: 210
- Slope: 0.968
- Correlation Coefficient (r): 0.997
- y-intercept: 0.165 mmol/l
- Range tested: 0.5 - 12.4 mmol/l

These results indicate that Nova Lactate Plus Meter compared well with the laboratory reference method.
Appendix

Precision
Precision of Nova Lactate Plus Meter was measured with both venous blood samples and control solution in laboratory. The results are shown below:

<table>
<thead>
<tr>
<th>Lactate Level</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lactate Mean (mmol/l)</td>
<td>1.6</td>
<td>6.5</td>
<td>10.8</td>
<td>18.1</td>
<td>22.1</td>
</tr>
<tr>
<td>20 measurements</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CV%</td>
<td>3.6</td>
<td>1.9</td>
<td>1.6</td>
<td>2.7</td>
<td>3.2</td>
</tr>
<tr>
<td>S.D. (mmol/l)</td>
<td>0.06</td>
<td>0.12</td>
<td>0.17</td>
<td>0.49</td>
<td>0.7</td>
</tr>
</tbody>
</table>
Appendix

References
Appendix

Instructional Notes
1. Inserting a test strip overrides all other modes.
2. There is no “All segments Screen” in Upload mode.
3. When in Upload mode, no other meter functions are available, and there is no response by meter to button presses.
4. The meter times out in 5 minutes in Upload mode.
5. Inserting a test strip overrides any mode except Upload mode.
6. If in setup mode when the test strip is inserted, the meter saves all values entered up to that point and immediately switches to test mode. Upon exiting test mode the meter screen goes blank and does not return to setup mode.
Appendix

7. If in Data Review mode when the test strip is inserted, the meter immediately switches to test mode. Upon exiting test mode the meter screen goes blank and does not return to Data Review mode.

8. Battery low icon is displayed in every mode except setup.

9. Once battery level goes below the threshold that triggers the “low battery” warning, it continues to give the warning until the meter becomes unusable due to low battery.

10. A failed control solution does NOT lock the user out of the meter.

11. Beeps that are not disabled when ‘BEEP’ is set to OFF: The ‘quick triple beep’ warning for HI or LO errors and Error codes E0 to E4.
Appendix

12. The Meter responds to the pressing and the holding of keys:

**SEARCH key**
- The Meter responds immediately after the SEARCH key is pressed.
- In cases where the SEARCH key moves forward through a series of stored test result screens or increments a value, hold down the SEARCH key to speed up screen change process.

**MODE key**
- When the MODE key is pressed < 1.5 seconds to advance to the next function, the meter advances to next screen immediately when key pressed.
- While meter is in sleep mode (OFF), pressing the MODE button < 1.5 seconds wakes up the meter and enters data review mode.
Appendix

- While meter is in sleep mode (OFF), pressing the MODE button > 3.0 seconds wakes up the meter and enters setup mode.
- While meter is awake (ON), pressing the MODE button > 1.5 seconds manually turns off the meter (sleep mode).
- While meter is in DATA REVIEW, pressing the MODE < 1.5 seconds puts into “Avg” screen of the next user.

13. With No Activity, Time-out will occur in
   1 Minute for all screens
   4 Minutes during analysis
   2 Minutes after the completion of analysis
   5 Minutes when upload connector inserted
Appendix

Warranty
Subject to the exclusions and upon the conditions specified below, Nova Biomedical or the authorized Nova Biomedical distributor warrants that he will correct free of all charges including labor, either by repair, or at his election, by replacement, any part of an instrument which fails within one (1) year from date of shipment because of defective material or workmanship. This warranty does not include normal wear from use and excludes: (A) Service or parts required for repair of damage caused by accident, neglect, misuse, altering the Nova equipment, unfavorable environmental conditions, electric current fluctuations, work performed by any party other than an authorized Nova representative or any force of nature; (B) Work which, in the sole and exclusive opinion of Nova, is impractical to perform because of location, alterations in the Nova equipment or connection of the Nova equipment to any other device; (C) Specification changes; (D) Service required to parts in the system contacted or otherwise affected by expendables or reagents not manufactured by Nova which cause shortened life, erratic behavior, damage or poor analytical performance; (E) Service required because of problems, which, in the sole and exclusive opinion of Nova, have been caused by any unauthorized third party; or (F) Instrument refurbishing for cosmetic
Appendix

purposes. All parts replaced under the original warranty will be warranted only until the end of the original instrument warranty. All requests for warranty replacement must be received by Nova or their authorized distributor within thirty (30) days after the component failure. Nova Biomedical reserves the right to change, alter, modify or improve any of its instruments without any obligation to make corresponding changes to any instrument previously sold or shipped. All service will be rendered during Nova’s principal hours of operation. Contact Nova for specific information.

The following exceptions apply:

• Consumable items, including the test strips and quality control solutions are warranted to be free of defects at time of initial use. The item must be placed into service prior to the expiration date printed on the packaging. All defects must be promptly reported to Nova Biomedical in writing.

• Freight is paid by the customer.

This warranty is invalid under the following conditions:

1. The date printed on the package label has been exceeded.
2. Non-Nova Biomedical reagents or controls are used, as follows: Nova Biomedical will not be responsible for any warranty on Lactate

Nova Biomedical
Plus Meter if used in conjunction with and are adversely affected by reagents, controls, or other material not manufactured by Nova but which contact or affect such parts. Reagent or quality control solution formulations not manufactured by Nova Biomedical may contain acids, concentrated salt solutions, and artificial preservatives that have been shown to cause problems such as erratic analytical results or inaccurate meter performance.

THE FOREGOING OBLIGATIONS ARE IN LIEU OF ALL OTHER OBLIGATIONS AND LIABILITIES INCLUDING NEGLIGENCE AND ALL WARRANTIES, OF MERCHANTABILITY OR OTHERWISE, EXPRESSED OR IMPLIED IN FACT BY LAW AND STATE OUR ENTIRE AND EXCLUSIVE LIABILITY AND BUYER’S EXCLUSIVE REMEDY FOR ANY CLAIM OF DAMAGES IN CONNECTION WITH THE SALE OR FURNISHING OF GOODS OR PARTS, THEIR DESIGN, SUITABILITY FOR USE, INSTALLATION OR OPERATION. NOVA BIOMEDICAL WILL IN NO EVENT BE LIABLE FOR ANY SPECIAL OR CONSEQUENTIAL DAMAGES WHATSOEVER, AND OUR LIABILITY UNDER NO CIRCUMSTANCES WILL EXCEED THE CONTRACT PRICE FOR THE GOODS FOR WHICH THE LIABILITY IS CLAIMED.