Suansings seek transfer of FDA from under administrative control of DOH to OP

Nueva Ecija Rep. Estrellita Suansing and her husband, Sultan Kudarat Rep. Horacio Suansing have sought the transfer of the Food and Drug Administration (FDA) from the Department of Health (DOH) to the Office of the President to ensure its autonomy and independence.

They said the FDA, which is tasked to regulate and monitor the health products industry and its products, should be under the grip of the Office of the President, instead of the DOH.

Republic Act 9711, otherwise known as the FDA Act of 2009 states that the FDA shall be under the Office of the DOH Secretary.

“Given this organizational structure in the DOH vis-à-vis the FDA, there can be instances of potential conflicts of interests here and may affect the independence and autonomy of the agency in making its decisions if it is under the Secretary of Health’s supervision,” the Suansings stressed.

Among the FDA’s functions and powers are collecting samples of health products; analyzing and inspecting health products; establishing analytical data to serve as a basis for the preparation of health products standards; recommending standards of identity, purity, safety, efficacy, quality, and and issuance of certificates of compliance with technical requirements.

“To ensure the FDA’s independence and free it from the clout of the Secretary of Health, it would be prudent, to transfer supervision and control of the FDA from the DOH to the Office of the President of the Republic of the Philippines, ” they said.

The Suansings filed House Bill 4808 seeking to transfer the supervision and control of the FDA, including the applicable funds and appropriations, records, equipment, property, and personnel to the Office of the President.

HB 4808 provides that all agreements and contracts entered into by the FDA shall remain in full force and effect unless otherwise terminated, modified or amended by the Office of the President.

The bill mandates the FDA to continue to exercise its full powers and functions under existing laws and its officials–current Director-General and Deputy Director Generals shall continue their respective duties and functions.

It tasks the Office of the President, in coordination with the FDA, to promulgate the implementing rules and regulations within 90 days upon the approval of the proposed Act.