



January 24, 2020

The Honorable Frank Pallone
Chair
House Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Greg Walden
Ranking Member
House Energy and Commerce Committee
2322 Rayburn House Office Building
Washington, DC 20515

The Honorable Brett Guthrie
2434 Rayburn House Office Building
Washington, DC 20515

The Honorable Eliot Engel
2426 Rayburn House Office Building
Washington, DC 20515

Dear Representatives Pallone, Walden, Guthrie and Engel:

As strong supporters of drug and medical device quality, we are proud to write in support of H.R. 5663, the *Safeguarding Therapeutics Act*, to improve the FDA's authority to seize and destroy counterfeit medical devices.

The American Pharmacists Association ("APhA"), founded in 1852 as the American Pharmaceutical Association, represents 64,000 pharmacists, pharmaceutical scientists, student pharmacists, pharmacy technicians, and others interested in improving medication use and advancing patient care. APhA members provide care in all practice settings, including community pharmacies, physicians' offices, hospitals, long-term care facilities, community health centers, managed care organizations, hospice settings and the uniformed services.

We appreciate the U.S. House's previous efforts to promote the safety of the drug market by combatting counterfeit drug importation, including its 2012 amendment of Section 801(a) of the Federal Food Drug & Cosmetic Act granting the FDA the authority to destroy refused drugs valued at \$2500 or less. Given the vast global marketplace of unscrupulous opportunists with no regard for public health, it is crucial to ensure the FDA has clear authority to take appropriate action against all forms of counterfeit medical products, whether they are drugs or devices. APhA supports the preservation of the integrity of our nation's supply of medical products and believes that expanding the FDA's regulatory destruction authority to include counterfeit devices will promote this preservation.

APhA looks forward to continuing our work with you and the FDA to uphold the safety of the drug and device market. We appreciate your commitment to bipartisan Congressional efforts to ensure this standard. If you have any questions please contact, Alicia Kerry Mica, Senior Lobbyist, by email amica@aphanet.org or phone (202) 429-7507.

Sincerely,

Thomas E. Menighan, BSPHarm, MBA, ScD (Hon), FAPhA
Executive Vice President and CEO