

Kluwer Patent Blog

US Food Drug Administration will follow EMA and relocate in Amsterdam

Kluwer Patent blogger · Tuesday, December 4th, 2018

(Corrected) The American Food Drug Administration (FDA) will follow the European Medicines Agency from London to Amsterdam because of the Brexit.

That is clear from a report on the [website of the FDA](#), describing its international activities.

“Since the first foreign office opened in Beijing in November of 2008, FDA’s international presence has grown to include additional foreign offices in New Delhi (India is also a substantial source of active pharmaceutical ingredients (API), raw materials, finished drugs

and various food products including spices); Brussels (the headquarters of the EU); London — soon to be Amsterdam (the headquarters of the European Medicines Agency); and (...) three offices in Latin America — in Mexico City, Mexico; San Jose, Costa Rica; and, Santiago, Chile. (...) By maintaining an office in both Brussels and London (eventually Amsterdam), we can better leverage our resources and collaborate with our regulatory partners on higher-risk sites around the globe that sell food and medical products to both Europe and the United States.”



It isn’t clear where and when the FDA, an American government agency which controls the safety of food and medicines, will relocate and how many jobs are involved. The EMA will move to the Dutch capital before the Brexit date of 29 March 2019. It published a [tracking tool](#) with an ‘overview of main milestones and work stream deliverables’. According to the Dutch daily [Het Parool](#), 850 EMA staff members will move as well and the number of EMA employees will eventually be 1300.

The EMA will temporarily be located in the so-called [Spark building](#) in Amsterdam-Sloterdijk, before going to the [permanent new building on the Zuidas](#) in Amsterdam, which is still under construction and will be completed in November 2019.

The relocation of the EMA has made Amsterdam an attractive venue for life sciences activities. According to [Het Parool](#), Novartis is among several pharmaceutical companies which have announced they will also move offices to Amsterdam. Other firms which have come or expand in (the region of) Amsterdam are Abbott, Sanofi – including its gentech daughter Genzyme – and biotech firm Kite Pharma, part of Gilead. A positive effect on scientific research at Amsterdam

universities is expected as well.

Unified Patent Court

Whether the Brexit will lead to a relocation of the central division of the Unified Patent Court (UPC), specialized in life sciences and envisaged for London, is still an open question. Supporters of the Unitary Patent system hope the UK can stay in the system and London can keep its court branch. There has been a lot of debate whether this is possible – and even more about the question whether the UP system is likely survive the Brexit and the German constitutional challenge.



At a conference earlier this week however, Attilio Fontana, governor of the Italian region of Lombardy, made clear that he thinks the London based branch of the UPC central division should be assigned to the city of Milan.

According to the [Italian press agency Ansa](#) he said that after losing the EMA to Amsterdam: “Milan and Lombardy are the best place for the location of the patent court. (...) we must not make the same mistakes as happened with the assignment of the EMA. (...) The seat has to be reviewed immediately after the Brexit, and a joint effort is required of the Lombard government, region and municipality. The conditions for the assignment, I believe, are all there.”

Since the Brexit referendum of June 2016, organisations and government officials in Italy have claimed several times (see [this post](#), for instance) the London division of the UPC should go to Milan.

(This post was corrected on 14 December 2018. In the earlier version of the post, we stated that Norgine planned to move to Amsterdam. In fact, this is not the case – Norgine has been headquartered in Amsterdam for many years. We apologise for this error.)

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This entry was posted on Tuesday, December 4th, 2018 at 10:44 am and is filed under [Brexit](#), [Netherlands](#), [Pharma](#), [Unitary Patent](#), [United Kingdom](#), [UPC](#)

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