

**Question for written answer E-007614/2015
to the Commission**
Rule 130
Ivan Jakovčić (ALDE)

Subject: The approach to selling the medicinal product ellaOne in Croatia

Croatia has approved the sale of ellaOne birth control pills. They are a non-prescription medicine, yet according to the opinion of the Ministry of Health and the Protocol of the Croatian Chamber of Pharmacists they are subject to a check by the pharmacist, who decides whether it is justified to dispense them and whether he should sell the medicine to patients. There are indications that such practice when dispensing the aforementioned medicinal product is contrary to European law since, according to the Treaty on the Functioning of the European Union, the protection of health from adverse effects of medical preparations available on the EU market falls within the competence of the European Commission.

Does this restrict the freedom of access to contraception guaranteed by Regulation (EC) No 726/2004 and directly discriminate against women, which would be contrary to Council Directive 2004/113/EC?

Since Croatia has not advised the European Commission of its decision to limit availability when selling the above pills, or else did not justify this decision by the protection of public interest, is it thereby violating Directive 2001/83/EC and the Treaty on the Functioning of the European Union?