Question for written answer E-000534/2017
to the Commission
Rule 130
Richard Sulík (ECR)

Subject: Restriction of the free movement of goods in Slovakia - distribution of medicinal products - unanswered question E-007113-16

Given that the Commission in its answer to my parliamentary written question No E-007113-16 failed to answer any of the questions which I put to it, I would like to ask these questions again and request concrete answers to them.

In the case of the Slovak Law on Medicinal Products, in force since 2012, the Commission has had an infringement procedure against Slovakia running for two years. Under an amendment effective from 2017, the previous 30-day general notification obligation for exports of medicinal products, which was the subject of the infringement, is to be removed and replaced by the obligation to notify the Slovak institution concerned of the export of medicinal products within seven days of their export. This obligation applies only to distributors of medicinal products covered by public health insurance.

The change in the law will permit manufacturers and those distributors authorised by them (licence holders) to export medicines. Such a rule will, among other things, create a conflict of interests for manufacturers with a dominant position in that they must protect public health, but at the same time operate for profit.

Is it possible under EU legislation to delegate the protection of public interests to private producers that have commercial and private interests?

Are the proposed changes compatible with the internal market, in the Commission’s view?