

WRITTEN QUESTION E-0852/03
by Christos Folias (PPE-DE)
to the Commission

Subject: Public supply contracts

Article 7(2) of Greek law 2955/2002 authorises the supply of products in the absence of estimates regarding annual requirements or procedures for the awarding of contracts. It does not provide for any means of establishing which product is the most suitable for patients and allows prices to be set arbitrarily at the highest level thereby limiting competition. Similarly Joint Ministerial Decision DG6a/GP/73754/24-7-7-02(Official Gazette 984/31/7-02) implementing the above law is not based on any technical specifications, observing that no comparison is possible as, more specifically, that entire categories of products cannot be compared with each other, on the principle that, by definition, all manufacturers produce items which cannot be compared with those produced by any other manufacturer. It also fails to stipulate procedures for the awarding of public supply contracts or require estimation of annual requirements to be drawn up specifying either exact content or quality, leaving matters to the discretion of the body concerned.

Is Greek Law 2955/2002, together with the Ministerial Decision implementing it, in accordance with EU legislation in this field and more specifically Directive 93/36/EEC¹. If not, what measures will the Commission take to ensure that Greece fully complies with the directive and when?

¹ OJ L 199, 9.8.1993, p. 1.