Question for written answer E-001125/2018
to the Commission
Rule 130
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Subject: Fixed spending and incentive system under Spanish Government agreement with Farmaindustria

We have received the Commission reply to our question No E-007467/2017, but this has no bearing on the agreement on a GDP-based expenditure cap.

The Autonomous Liquidity Fund (ALF) is a credit line created by the Spanish Government to enable it to lend to the autonomous communities and avoid their having to finance their debt in the markets.

In Spain, under the principle of decentralisation as enshrined in the constitution, responsibility for health, including the prescription of medical products, has been transferred to the autonomous communities.

In our view, making ALF financing contingent on acceptance of the agreement with Farmaindustria, the national association that represents manufacturers of branded pharmaceuticals, constitutes a barrier to market access for generic medicines, as the agreement guarantees a fixed level of expenditure on original products. The autonomous communities are obliged, as a condition of access to the ALF, to purchase branded products within the expenditure limit. Farmaindustria is thus, directly or indirectly, guaranteed a set volume of sales as the autonomous communities are under obligation to buy branded pharmaceuticals, and if they do not spend up to the permitted ceiling, central Government activates the incentive system which is also provided for in the agreement.

Can the Commission give us a fresh answer?