

**Question for written answer E-001704/2023/rev.1
to the Commission**
Rule 138
Virginie Joron (ID)

Subject: Pfizer taking advantage of state aid to buy out competitors and compatibility with EU law

The Commission signed contracts worth EUR 71 billion for COVID-19 vaccines¹.

Drawn up in 2021 and 2022, these public procurement contracts allowed three companies to make huge superprofits: Pfizer (USD 35 billion), BioNTech (USD 20 billion) and Moderna (USD 20 billion). AstraZeneca and Johnson & Johnson, on the other hand, are not reported to have made any profits from them².

Pfizer subsequently acquired 8 % of the shares of its competitor Valneva, who had its vaccine orders cancelled by the Health Emergency Preparedness and Response Authority (HERA)³.

It is reported that Pfizer negotiated with HERA to receive USD 10 for every dose not produced and to be the dominant supplier of COVID-19 vaccines until 2026⁴.

Pfizer now has a war chest of public funding and is making use of it to purchase other pharmaceutical companies, such as Seagen, which it acquired for EUR 40 billion⁵.

The internal market has been rigged.

1. Has the Commission investigated whether Pfizer abused its dominant position by limiting Valneva's activities or by employing unfair trading conditions with HERA, in order to warp competition where it has not simply eliminated it?
2. Has it looked into the state aid received by Pfizer (Articles 101 to 108 of the TFEU)?
3. When a Member State, such as France, gives EUR 10 to a company, such as Sanofi, for each non-manufactured product to help it acquire competitors, is this considered to be a form of unlawful state aid?

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¹ European Court of Auditors – https://www.eca.europa.eu/Lists/ECADocuments/SR22_19/SR_EU_COVID_vaccine_procurement_EN.pdf
² <https://www.somo.nl/wp-content/uploads/2023/02/SOMO-Pharmas-Pandemic-Profits.pdf>.
³ [https://www.pfizer.com/news/press-release/press-release-detail/valneva-and-pfizer-announce-closing-equity-investment#:~:text=\(NYSE%3A%20PFE\)%20today%20announced%,announced%20on%20on%20June%20C%202022C%20&text=Pursuant%20to%20an%20Equity%20Subscription,through%20a%20reserved%20capital%20increase;https://valneva.com/press-release/valneva-provides-clinical-and-regulatory-updates-for-its-covid-19-vaccine-vla2001/;https://www.reuters.com/business/healthcare-pharmaceuticals/eu-seals-deal-with-valneva-cut-volume-covid-vaccine-supplies-2022-07-20/](https://www.pfizer.com/news/press-release/press-release-detail/valneva-and-pfizer-announce-closing-equity-investment#:~:text=(NYSE%3A%20PFE)%20today%20announced%,announced%20on%20on%20June%20C%202022C%20&text=Pursuant%20to%20an%20Equity%20Subscription,through%20a%20reserved%20capital%20increase;https://valneva.com/press-release/valneva-provides-clinical-and-regulatory-updates-for-its-covid-19-vaccine-vla2001/;https://www.reuters.com/business/healthcare-pharmaceuticals/eu-seals-deal-with-valneva-cut-volume-covid-vaccine-supplies-2022-07-20/).
⁴ <https://www.ft.com/content/fbcd28ad-f39a-4eae-8ffd-1baf940f41f1>.
⁵ <https://www.fiercepharma.com/pharma/pfizer-seagen-kick-ftc-review-43b-merger-3-democrats-lead-us-antitrust-watchdog>.