

**Question for written answer E-000645/2026
to the Commission**

Rule 144

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Subject: Commission proceedings concerning complaint CPLT(2023)02625 on Poland's restrictions on pharmacy ownership

Poland's legislation sets out specific conditions for acquiring control over a community pharmacy – only individual pharmacists or their partnerships may do so, and only if they (and any associated entities) operate fewer than four pharmacies nationwide.

These rules have practical consequences for existing pharmacy owners, including restrictions on business succession and the transfer of ownership. They have also contributed to a decline in the number of pharmacies in Poland, thus affecting patients' access to medicines, pharmaceutical services and care.

In addition to raising concerns regarding the freedoms guaranteed by the Treaties, the regulations have also been questioned from a rule of law perspective. The Polish Constitutional Tribunal has ruled that they were enacted in breach of constitutional requirements. However, the legal effects of the ruling remain questionable due to controversies surrounding the legal standing of the Tribunal, leaving proceedings before the Commission as the only remaining legal remedy.

Can the Commission clarify the following:

1. What steps has the Commission taken in examining this matter, and what is the current status of its assessment?
2. Within what indicative time frame does the Commission expect to determine whether further actions are warranted?

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