

(English version)

**Question for written answer E-000739/26
to the Commission
Gerald Hauser (P/E)
(23 February 2026)**

Subject: Potential threat of the EU dipping into national medicine stocks

The Critical Medicines Act is intended to prevent drug shortages in the EU. In the ongoing negotiations, however, a step towards the EU's right to intervene has been discussed: as a last resort, the Commission could reportedly gain access to national drug stocks and redistribute them. This would amount to stripping Member States of their national supply responsibilities, give rise to new liability risks and could exacerbate the situation in the supplying Member State.

1. Is the Commission intending to implement, or does it support, rules enabling it to redistribute critical medicines from national stocks even against the will of a Member State, and what specific legal basis would there be for such a right of intervention?
2. What guarantees are in place to ensure that health remains a national competence and that national stocks can neither be accessed or redistributed without the consent of the Member State concerned?
3. Who would be legally liable and have to pay compensation if redistribution causes supply problems or financial damage in the Member State of supply, and will every decision, including the data basis, quantities and recipients, be published in full?

Submitted: 23.2.2026

**Answer given by Mr Várhelyi on behalf of the European Commission
(9 April 2026)**

In March 2025, the Commission proposed the Critical Medicines Act ⁽¹⁾ (CMA) to strengthen the availability and security of supply of critical medicines.

The CMA proposal follows the ordinary legislative procedure. In this context, the European Parliament proposed an EU coordination mechanism for critical medicines, allowing the Commission to monitor stock levels across the EU and manage stock redistribution between countries in cases of shortages. This redistribution mechanism is not part of the Commission's proposal.

The organisation of healthcare system is a national competence. The Commission's proposal focuses on national contingency stock requirements, which are obligations imposed on supply chain actors to hold buffer stocks of certain medicines to mitigate the risk of supply chain disruptions.

Member States must ensure that these national requirements do not adversely affect the supply to other Member States, are proportionate, and adhere to the principles of transparency and solidarity.

Furthermore, the CMA proposes collaborative procurement mechanisms involving the Commission at the request of Member States.

⁽¹⁾ Proposal for a regulation of the European Parliament and of the Council laying a framework for strengthening the availability and security of supply of critical medicinal products as well as the availability of, and accessibility of, medicinal products of common interest and amending Regulation (EU) 2024/795.