

(English version)

**Priority question for written answer P-002225/25
to the Commission
Danuše Nerudová (PPE)
(3 June 2025)**

Subject: Increasing difficulties in accessing certain prescription medicines for small pharmacies in Czechia

Independent pharmacies in Czechia report increasing difficulties in accessing certain prescription medicines. These medicines are often available exclusively through distributors owned or controlled by large pharmacy chains, which are allegedly refusing to supply them to small, independent pharmacies. This raises concerns of discriminatory access and potential abuse of dominant market position.

These practices appear to be creating de facto monopolies that distort fair competition in the pharmaceutical sector and jeopardise access to medicines — particularly for patients in rural and less densely populated areas, where independent pharmacies are often the only available point of care.

1. Is the Commission aware of these allegations regarding discriminatory distribution practices by large, vertically integrated pharmacy chains in Czechia?
2. Does the Commission consider such conduct to be in breach of EU competition law or internal market principles?
3. What instruments does the Commission have at its disposal to prevent large market players from abusing their position to exclude small pharmacies and limit patients' access to medicines — especially in underserved regions?

Submitted: 3.6.2025

**Answer given by Executive Vice-President Ribera on behalf of the European Commission
(22 July 2025)**

The Commission is not aware of these alleged practices by vertically integrated pharmaceutical wholesalers in Czechia.

The Commission recalls that, pursuant to Article 81 of Directive 2001/83/EC on the Community code relating to medicinal products for human use⁽¹⁾, wholesalers have a general duty to ensure appropriate and continued supply pharmaceutical products to pharmacies so that the needs of patients in the Member State in question are covered.

The described conduct could theoretically violate Article 102 of the Treaty on the Functioning of the European Union (TFEU), which prohibits abuses of a dominant position.

A refusal, by a vertically integrated pharmaceutical wholesaler, to supply independent pharmacies competing with its own pharmacy chain could, subject to the conditions of the Treaty and the applicable case law, constitute an exclusionary abuse of a dominant position.

Such conduct could also theoretically infringe Article 101 TFEU if it involves anticompetitive agreements or concerted practices between several undertakings not to supply independent pharmacies.

The Commission shares its powers to enforce EU competition law with national competition authorities, such as the Czech Office for the Protection of Competition. These authorities can be particularly well placed to investigate conduct limited to a single Member State, as may be the case here.

Where, following an in-depth investigation, the Commission finds that an undertaking infringed Article 101 and/or 102 TFEU, it may, by decision, require the undertaking to bring such infringement to an end (Article 7 of Regulation (EC) 1/2003) and impose a fine (Article 23 of Regulation (EC) 1/2003).

⁽¹⁾ Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67, ELI: <http://data.europa.eu/eli/dir/2001/83/oj>).