

To
The Honourable
Mr Adonis Georgiadis
Minister of Health

Cc: Mr Demetrios Kontos, President of EOPYY

Re: Refund of wholesalers profit to EOPYY

Chalandri, February 5 2014

Dear Minister,

Further to our letter dated 23/1/2014 (attached) regarding the sale of medicinal products by pharmaceutical companies directly to pharmacies and the refund of the corresponding wholesaler's profit to EOPYY and of the relevant circulars of EOPYY dated 29/1/2014 and 3/2/2014 (also attached), with which the relevant measure is implemented, we would like to readdress the said crucial matter.

Such a provision is completely illegal for the following reasons:

- To begin with, there is no legal authorisation. More specifically, it is not concluded from any legal provision that EOPYY is entitled to benefit the profit margin of wholesalers in case pharmaceutical companies sell directly to pharmacies.
- In addition, it opposes article 2 par. 2 of the same Ministerial Decision, according to which the sale price to pharmacies is the wholesale price. Consequently, companies, when selling directly to pharmacies, they sell at a wholesale price, thus they must benefit from the respective profit margin, whereas they bear the distribution costs.
- It also opposes article 2 par. 1 of the same Ministerial Decision, according to which companies sell at ex-factory prices only to the wholesalers. If par. 7 of article 4 applies, this practically means that they will be obliged to sell at the ex-factory price also to pharmacies.

In addition, the above provision substantially deprives the companies from the ability to cover, as the case may be, the deficiencies of important medicinal products in sensitive areas.

Given that the above provision was included in the Ministerial Decision literally in *the last minute*, without any prior consultation and taking into account your commitment for the creation of a steady and predictable business environment, we kindly request that **you promptly proceed with the issue of an amending Ministerial Decision**. In any different case, both SFEE and the companies-members thereof reserve to claim their rights in any lawful manner.

Yours sincerely,

Konstantinos M. Frouzis
President

Nikos Kefalas
Vice President