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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down 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 - General Approach

In document 14823/25, in page 23, the recital 33 should read as follows:

- (33) Directive 2014/24/EU of the European Parliament and of the Council^[15] provides for the possibility of procurement involving contracting authorities from different Member States. Whereas it has been found helpful to make small markets attractive for suppliers, thereby achieving better availability of medicinal products, its implementation is time- and resource-intensive, especially in the starting phase, and considered a limiting factor.

¹⁵ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65, ELI: <http://data.europa.eu/eli/dir/2014/24/oj>).

To facilitate the deployment of procurement initiatives involving contracting authorities from different Member States, the Commission, when requested, should provide its assistance during the preliminary phase of setting up such a procurement initiative. **The involved Member States can at any time decide are able to agree to continue the procedure without the Commission's facilitation, including by agreement on another facilitator in accordance with Directive 2014/24/EU. Any involved Member State can withdraw from the procedure at any stage before the signature of the procurement contract. Withdrawal by one Member State would does not in itself affect the continuation of the procedure by the remaining participating Member States, provided that the minimum requirements under this Regulation are still met.**
