

PRESS RELEASE

The CNMC investigates possible antitrust practices in the Spanish market for the manufacture and marketing of combined hormonal contraceptives

- The drug investigated is used by women of childbearing age as a combined hormonal contraceptive.
- The CNMC is considering if a pharmaceutical laboratory is abusing its dominant market position.
- This practice could affect the marketing of drugs from third-party competitors.

Madrid, 27 May 2019 - The CNMC (National Commission on Markets and Competition) is investigating possible antitrust practices involving the marketing of combined hormonal contraceptives in Spain.

On 21, 22 and 23 May 2019, the CNMC inspected the headquarters of a pharmaceutical laboratory that manufactures a combined hormonal contraceptive (CHC) for women of childbearing age. This was done to investigate an alleged anticompetitive practice, prohibited by the Antitrust Law, involving the abuse of its dominant position. Said pharmaceutical laboratory is accused of engaging in strategies involving the use of legal and judicial actions to hinder its competitors from introducing third-party medicines into the Spanish market.

The inspections are a preliminary step in the process of investigating the alleged anti-competitive behaviour, and do not prejudice the outcome of the investigation or the guilt of the company.

If, as a result of the inspection, there are signs of anti-competitive practices prohibited by the Antitrust Law, formal disciplinary proceedings will be initiated.

The abuse of a dominant position in recently deregulated markets, such as the one in this case, is considered a very serious infringement of the anti-trust law. It can result in fines of up to 10% of the infringing company's total turnover in the year immediately preceding the imposition of the fine.

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