

## PRESS RELEASE

### **The CNMC investigates possible anticompetitive practices in the Spanish inhaler market**

- The drug being investigated is inhaled to treat obstructive pulmonary disorders in adults.
- The CNMC is considering if a pharmaceutical laboratory is abusing its dominant market position.
- This practice could affect purchases made by health services and hospitals throughout Spain.

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

On 21, 22, 23 and 24 May 2019, the CNMC conducted an inspection at the headquarters of a pharmaceutical laboratory that manufactures an inhaler with a drug used to treat pulmonary obstructive disorders in adults in Spain. 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 marketing strategies to exclude its competitors from supplying this type of medicine to health services and hospitals throughout Spain.

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 antitrust law, and 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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