

PRESS RELEASE

The CNMC has initiated disciplinary proceedings against Advanced Accelerator Applications Ibérica, S.L.U. and Curium Pharma Spain, S.A. for anti-competitive practices in the Spanish radiopharmaceutical market.

- These involve drugs used in positron-emission tomography (PET) procedures.

Madrid, 11 February 2019.- The CNMC (Spain's National Authority for Markets and Competition) has instituted disciplinary proceedings against Advanced Accelerator Applications Ibérica, S.L.U. and Curium Pharma Spain, S.A. for possible anti-competitive practices in the Spanish market for radiopharmaceutical production and marketing used in positron-emission tomography (PET) procedures.

Last November, the CNMC carried out inspections at the headquarters of different companies operating in this market in view of the suspicion of the existence of possible anti-competitive practices, prohibited by the Defence of Competition Act ([press release](#)).

On the basis of the information gathered, the CNMC has initiated disciplinary proceedings against Advanced Accelerator Applications Ibérica, S.L.U. and Curium Pharma Spain, S.A. for possible anti-competitive behaviour consisting, on the one hand, of an alleged agreement for market sharing, price fixing and exchange of information in the market for the production and marketing of PET radiopharmaceuticals in Spain from 2014 until at least November 2018.

On the other hand, such conduct entailed an alleged abuse of a dominant position by Advanced Accelerator Applications Ibérica, S.L.U. for hindering the entry of new competitors into the Spanish market for the production and marketing of PET radiopharmaceuticals from 2017 until at least November 2018.

In addition, it is agreed that the proceedings will also be understood as being brought against certain managers of some of the companies in question.

In view of the information available, the CNMC considers that there are reasonable indications of an infringement of Articles 1 and 2 of Law 15/2007 of 3 July on Defence of Competition (LDC) and Article 101 of the Treaty on the Functioning of the European Union (TFEU).

The commencement of these proceedings does not prejudice the final conclusion of the investigation. The case must now be investigated and a decision must be handed down in relation to it within a maximum of 18 months.

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