

Statement regarding the CMA's decision to close certain aspects of an investigation into suspected breaches of competition law in the pharmaceutical sector on the grounds of administrative priority

Parties: [The parties have not been named]

Case reference: Case 50511

Case closed: 7 November 2018

Issue: Suspected anti-competitive agreements in the pharmaceutical sector under Chapter I Competition Act 1998 and Article 101 TFEU

Relevant provision: Chapter I of the Competition Act 1998 (CA 98) / Article 101 TFEU

Summary of closure decision

On 10 October 2017, the CMA launched an investigation under Chapter I of the CA 98 and Article 101 TFEU into suspected breaches of competition law by various parties. The investigation related to alleged anti-competitive agreements and/or concerted practices in relation to generic pharmaceutical products.

On 3 July 2018, the CMA announced its decision to proceed with its investigation into certain alleged anti-competitive agreements and/or concerted practices and certain parties. The new case pages for those investigations are [Case 50511-1](#) and [Case 50511-2](#). A decision whether to issue a statement of objections for those alleged anti-competitive agreements and/or concerted practices and certain parties is estimated to be taken in Q1 2019.

The CMA decided on 7 November 2018 to close the remaining aspects of its investigation in Case 50511 under Chapter I of the Competition Act 1998 and Article 101 TFEU on administrative priority grounds. This decision was reached having regard to the [CMA's Prioritisation Principles](#). In accordance with the Prioritisation Principles, the CMA considered several factors, including the evidence gathered to date, its other ongoing investigations into similar behaviours in the pharmaceutical sector, the additional benefits that pursuing these aspects of the investigation would bring, and the need to allocate its resources efficiently across the cases within its portfolio. The CMA considered that, on balance, continuing with the remaining aspects of its investigation in Case 50511 would not be the best use of the CMA's resources.

This decision does not amount to a statement or finding as to whether the party to the investigation has infringed competition law, nor should any inference be made to that effect.

A decision to close the case on administrative priority grounds does not prevent the CMA from opening an investigation in the future if it receives new evidence which changes the prioritisation assessment.