

The CNMC investigates possible anti-competitive practices in the Spanish market for the distribution of medicines to pharmacies

- The commission is analysing the existence of possible practices constituting an infringement of Article 1 of the Spanish Competition Act and Article 101 of the Treaty on the Functioning of the European Union.
- These consist of information exchanges between different entities in the pharmaceutical sector.
- Between the 27 and 30 November, 2023, the CNMC carried out inspections at the premises of several companies in the pharmaceutical sector.

Madrid, December 7, 2023.- The Spanish National Markets and Competition Commission (CNMC) is investigating possible anti-competitive practices in the Spanish market for the distribution of medicines to pharmacies. These practices consist of information exchanges between different organisations in the pharmaceutical sector.

Between the 27 and 30 November, 2023, the CNMC carried out inspections at the premises of several companies in the pharmaceutical sector as part of an investigation into the alleged existence of anti-competitive practices in the aforementioned market. If confirmed, they could constitute an infringement of Article 1 of the Spanish [Competition Act \(Ley de Defensa de la Competencia; LDC\)](#) and Article 101 of the [Treaty on the Functioning of the European Union of the Law on the Defence of Competition](#).

Inspections are a preliminary step in the investigation process of alleged anti-competitive behaviour and do not prejudice the outcome of the investigation or the culpability of the company concerned.

If, as a result of such inspections, evidence of anti-competitive practices prohibited by the Spanish Competition Act are found, the CNMC will formally initiate infringement proceedings.

These practices could be considered a very serious infringement of competition law, which may entail fines of up to 10% of the total turnover of the infringing companies in the financial year immediately preceding the year in which the fine is imposed.