UOKIK – 21 September 2026 (English machine translation)

The Neuca Group, Farmacol and Polska Grupa Farmaceutyczna are the largest wholesalers of pharmaceutical products in Poland. Their combined share of the wholesale medicines market between 2015 and 2022 exceeded 70 per cent. Given this scale, competition and the relationships between these companies effectively determine the shape of the pharmacy market in Poland.

Rather than competing independently for customers, pharmaceutical wholesalers shared information for over 10 years on current medicine prices and other commercial terms offered to pharmacies, which enabled them to restrict competition in the market. For their participation in the unlawful agreement, the President of the Office of Competition and Consumer Protection (UOKiK) imposed fines totalling over PLN 900 million on the participants, whilst the decision was endorsed by the European Commission, which confirmed the classification of the practice and the authority’s reasoning in light of the evidence obtained during the searches.

This was not merely a matter of monitoring the competition

In a competitive market, not knowing what a rival will do forces businesses to compete: through lower prices, better offers, discounts or more favourable terms of cooperation. In the Polish wholesale pharmaceutical market over the last decade, this mechanism has been disrupted. The largest players had access to detailed information about their competitors’ activities, which allowed them to avoid dynamic competition in the market.

The law does not prohibit monitoring competitors’ publicly available prices. In this case, however, the situation was different: the prices at which wholesalers sell products to specific pharmacies are not public. Businesses obtained this information through IT tools used in their partnership programmes for pharmacies, shared it with the participants in the agreement, and utilised it in their own commercial decisions.

In exchange for, amongst other things, discounts, training and marketing support, the wholesalers gained access to data on pharmacies’ purchases. Neuca and Polska Grupa

Farmaceutyczna had been making use of this since October 2015, and companies from the Farmacol group had also been doing so since January 2017.

Data from thousands of pharmacies gave the participants in the agreement a comprehensive picture of the market. Wholesalers did not have to guess what offer a competitor had made. They could see what a specific pharmacy was buying from a competitor, at what price and on what terms. They knew when a small price reduction would suffice, and when they did not need to lower their price at all for the pharmacy to buy the product from them.

Such knowledge altered the rules of competition. Instead of competing for a pharmacy's business through better prices, discounts or margins, businesses could tailor their offers to the terms and conditions of their competitors, which they were aware of, thereby avoiding market competition, particularly at the expense of their margins and profits.

- When we fall ill, we have to buy medicines. We should have a genuine choice as to where we can buy them more cheaply. Such a natural choice is provided by fair competition, in which businesses compete for customers by offering better terms for the sale of their products. For over 10 years, the largest pharmaceutical wholesalers in Poland, being aware of their competitors' current offers and the prevailing prices for individual pharmacies, 'synchronised' their price lists instead of competing for customers. In this way, competition in this market was significantly restricted. The participants in the cartel benefited from this practice, whilst pharmacies lost out, and ultimately patients, who paid more for medicines, says Tomasz Chróstny, President of the Office of Competition and Consumer Protection (UOKiK).

We don't want any war here

The scheme provided a broad overview of the market, whilst the exchange of information helped to avoid price competition between the largest pharmaceutical wholesalers in Poland. When a wholesaler saw that a competitor was selling a medicine at a higher price, it would raise its own price without fear of losing customers. When a rival lowered its price, it would simply adjust its own offer so as – as employees of one wholesaler put it in their correspondence – "not to trigger a price war".

The agreement helped to perpetuate the existing balance of power for years. By limiting competition amongst themselves, the members of the agreement maintained the status quo amongst themselves, whilst at the same time restricting the scope for effective competition from other wholesalers. For pharmacies, this meant less favourable terms of cooperation with the entities that provided the widest access to medicines. In turn, less competition at the start of the supply chain meant a higher price at the end of it – that is, at the pharmacy till.

- It is often said that you shouldn't skimp on health. However, this cannot mean that patients have to pay more simply because the largest medicine suppliers have comfortably established themselves in the market. We are talking about entities that supply the majority of Polish pharmacies. Restricting competition on such a scale is particularly harmful to society: less competition for pharmacies may mean poorer supply conditions, and it is the patient who ultimately pays the price," says the President of the Office.

Over 904 million zlotys in fines

The fines for participating in the unlawful agreement totalled PLN 904,969,744.47: Neuca – PLN 499,037,763.85, Farmacol-Logistyka – PLN 400,532,440, Farmacol – PLN 3,488,520, Świat Zdrowia – PLN 1,911,020.62. The maximum fine for participating in an agreement restricting competition may amount to 10 per cent of a company's annual turnover.

Polska Grupa Farmaceutyczna avoided the financial penalty entirely. The company took advantage of the leniency programme, provided evidence to the Office of Competition and Consumer Protection (UOKiK) and cooperated throughout the proceedings.

– A participant in an unlawful agreement who decides to cooperate with the UOKiK may avoid a fine or have it significantly reduced. This case best illustrates that it is worth taking this step at an early stage. Polska Grupa Farmaceutyczna, as an applicant under the leniency programme, helped us to uncover and break up this cartel, thereby avoiding a financial penalty," notes UOKiK President Tomasz Chróstny.

The decision is not yet final. The undertakings have the right to appeal to the court.