



## THE COMPETITION COUNCIL ASSESSES THE PHARMACY RETAIL MARKET FROM ROMANIA

The Competition Council started a sectorial analysis on the pharmacy retail market in Romania, for identifying the elements that can limit patients' access to medication from drugstores.

Thus, the supply relations of pharmacies will be examined and the drugs' trajectory from the point they are placed on the market until they reach the consumer, as well as the relevant legislation in the field, in order to identify regulations that can affect the competition in the market. Moreover, medication's availability for patients will be analyzed and there will be identified improvement methods.

„Pharmaceutical industry is very important and our activity in the last years is a proof: we sanctioned five pharmaceutical companies and the representative association, because they coordinated in order to limit the immunoglobulin market, we started an investigation on the ultrasound market, making unannounced inspections in Romania, Italy and Germany and we currently investigate a potential abuse in trading of oral blood thinner medication. Furthermore, we made some recommendations for draft normative acts and we worked very well with Romanian institutions, such as National Health Insurance House, National Agency for Medicines and Medical Devices. We will continue the collaboration in order to improve Romanian patients access to medications”, said Bogdan Chirițoiu, the president of the Competition Council.

The competition authority can ask information and documentation from every part involved, companies and authorities, during this analysis.

After the analysis, the Competition Council can make recommendations in order to fix, soften and prevent any negative effect on competition and, by default, on consumers. If the law is violated, we initiate necessary procedures for sanctioning.

The competition authority made several analyses on the pharmacy retail market, after which it made recommendations that have been picked up by the Ministry of Health in the industry legislation. Thus, the patients pay smaller amounts of money for certain medications, following the recommendations transmitted for decreasing innovative drugs' prices whose patent has expired, to the same level of generic drugs' prices. Also, after the Competition Council's proposal, there has been introduced the obligation to provide medication stocks to producers and distributors, while pharmacies have the obligation to submit to distributors the justified orders and to honor them to the patients in 24/48 hours.



Besides, after the competition authority suggestion, the geographical criterion that stopped opening new drugstores has been removed, which led to an improvement of patient access to pharmacy's services. Recently, the competition authority made some directions in order for clients to spot easily the difference between Over-the-Counter drugs (OTC) and dietary supplements.

Also, The Competition Council has sanctioned five pharmaceutical undertakings, suppliers of immunoglobulins and other medicines derived from human plasma, as well as the representative association of the producers of plasma protein therapies - PPTA (Belgium) with fines amounting 71 million Euro, for implementing a coordinated strategy, which aimed at limiting and even interrupting the supply of the Romanian market with immunoglobulins.

In May, The Competition Council has opened an investigation on the ultrasound market, having clues that there are settlements in order to limit the trade of this type of medical equipment, Esaote, in Romania.

The Competition Council opened an investigation into a possible abuse of a dominant position of Boehringer Ingelheim RCV GmbH & Co. KG. KG, Vienna, on the Romanian market for the sale of direct oral anticoagulant medicines and medicines for the treatment of chronic obstructive pulmonary disease.

Regarding the transactions in the pharmacy industry, The Competition Council required some conditions in situations where there are concerns regarding the effects in the market. For example, Penta Group/ Dr. Max had to divest 18 Arta pharmacies from Bucharest and Timișoara in order to take over A&D Pharma Holdings.

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