

COFECE notifies Statement of Probable Responsibility for absolute monopolistic practices in the market for toothbrushes purchased by the health sector, nationwide

- *In the Statement of Probable Responsibility, the Investigative Authority found sufficient evidence to presume that the notified agents possibly carried out an anticompetitive conduct.*
- *The notification of the statement of probable responsibility indicates the initiation of the trial-like procedure phase, in which notified parties may address COFECE's allegations.*

Mexico City, October 22, 2018.- The Federal Economic Competition Commission (COFECE or Commission) notified diverse economic agents of a statement of probable responsibility for absolute monopolistic practices (horizontal restraints or collusive agreements) in the market for the production, distribution and commercialization of toothbrushes procured by the health sector, nationwide.

This ex officio investigation, under file IO-005-2016, was initiated on October 10th, 2016 and concluded on August 9th, 2018. The Investigative Authority in the Statement of Probable Responsibility indicated having knowledge of facts that possibly derived in bid rigging (fix, coordinate or manipulate bids or sit out the public tender or procurement process).

The notification of the Statement of Probable Responsibility establishes the initiation of the case's trial-like procedure, conducted by the Commission's Technical Secretariat. During which, the alleged offenders have the right to argue in their favor and submit evidence related to the allegations presented against them. Once the facts have been addressed, the evidence processed, and the corresponding arguments presented, COFECE's Board of Commissioners may issue a resolution as per the law.

If existence of an absolute monopolistic practice is proven, economic agents may be sanctioned according to the Federal Economic Competition Law.

See in Spanish: [What is a relative monopolistic practice?](#) and [What are Statements of Probable Responsibility and why are they used?](#)



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The Federal Economic Competition Commission is entrusted with safeguarding competition and free market access. This contributes to people’s well-being and the efficient functioning of markets. With its work, COFECE seeks better conditions for consumers, more services of higher quality and a “level playing field” for companies.



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