

## COFECE notifies economic agents of a statement of probable responsibility for collusion in the market for pharmaceuticals

- *The Investigative Authority concluded their probe and issued a statement indicating probable collusion.*
- *The notification of a statement of probable responsibility signals the initiation of the trial-like proceeding, in which the economic agents may address COFECE's allegations.*

**Mexico City, June 6, 2019.-** The Federal Economic Competition Commission (COFECE or Commission) notified several economic agents of their probable responsibility in cartel practices in the national market for the production, distribution and commercialization of medicines. This is the broadest investigation carried out by COFECE's Investigative Authority in the health sector, which assessed the participants' conduct throughout the pharmaceutical production chain.

Absolute monopolistic practices also known as horizontal restraints or collusive agreements/cartel conducts, are contracts, agreements or arrangements between competing economic agents, with the purpose or effect of fixing prices, restricting or limiting the supply or demand, dividing or allocating markets, bid-rigging, as well as sharing information with the aforementioned purpose or effects.

The *ex-officio* investigation, file IO-001-2016, began on May 19, 2016 and closed on January 8, 2019. In the statement of probable responsibility, the Investigative Authority indicates having knowledge of facts that possibly constitute absolute monopolistic practices.

Thus, it was decided to notify and initiate the trial-like procedure, carried out by the Commission's Technical Secretariat, during which alleged offenders have the right to present their defense and submit evidence related to charges brought up against them. Once facts have been addressed, the evidence processed, and the corresponding arguments have been presented, COFECE's Board of Commissioners may issue a resolution in accordance with the Law.

Should an unlawful conduct be confirmed, the economic agents may be fined pursuant to the Federal Economic Competition Law (FECL).

Read more (in Spanish): [What is an absolute monopolistic practice?](#) and [What are Statements of Probable Responsibility and what are they used for?](#)



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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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