

CMA secures affordable supply of key bipolar drug

In October, [the CMA launched an investigation](#) suspecting that the pharmaceutical supplier, Essential Pharma, may have abused a dominant market position by adopting a strategy to withdraw the bipolar drug, Priadel, from UK patients. This would have caused disruption for patients and doctors, as patients would have been required to switch to alternative, more expensive, treatments such as Camcolit, which is also owned by Essential Pharma. In addition, the strategy would have placed an even greater financial strain on the NHS at a time of unprecedented pressure.

Immediately following the opening of the CMA's investigation, Essential Pharma paused the withdrawal of Priadel and entered into price negotiations with the Department for Health and Social Care (DHSC), resulting in a new price being agreed. It then offered formal commitments to the CMA to address competition concerns regarding its strategy to withdraw the drug from UK patients. [The CMA has now accepted these commitments](#) after carefully considering responses received to a public consultation, launched last month.

The commitments last for 5 years and ensure Priadel will continue to be supplied on terms agreed with the DHSC. This means Essential Pharma will be unable to threaten to withdraw Priadel to obtain an unjustified price increase.

The CMA's decision to accept Essential Pharma's legally binding commitments brings this case to a successful conclusion after less than 3 months, although the CMA will continue to monitor the firm's compliance and intervene if it suspects any breach. Importantly, protection for consumers does not come to an end once commitments expire, as firms must still ensure they act fairly to comply with the law.

Ann Pope, the CMA's Senior Director of Antitrust, said:

"This was an important case, which had the potential to affect tens of thousands of patients and cause additional financial strain to the NHS in the middle of a pandemic. The CMA intervened quickly, which resulted in Essential Pharma keeping Priadel on the market at an affordable price – a positive outcome for patients, the NHS and the taxpayers who ultimately fund these drugs."

More information can be found on the CMA's [investigation into supply of lithium-based medication case page](#).

Notes to editors

1. The CMA opened the investigation as it had reasonable grounds for suspecting that Essential Pharma may have infringed the Chapter II prohibition of the Competition Act 1998/Article 102 of the Treaty on the

Functioning of the European Union (TFEU).

2. The Chapter II prohibition of the Competition Act 1998/Article 102 of the TFEU prohibit the abuse of a dominant position by one or more undertakings which may affect trade within the UK/EU or a part of it.
3. The commitments are legally binding on Essential Pharma.
4. The prices agreed on by Essential Pharma and DHSC for Priadel are £7.50 for 200mg tablets per pack and £8.50 for 400mg tablets per pack. This is significantly less than the price of Camcolit, which is £48.18 per pack of 400mg tablets.
5. For media enquiries, contact the CMA press office on 020 3738 6460 or press@cma.gov.uk.