

## News story: CMA applies discretion not to refer IBA/Mallinckrodt merger

The CMA is not referring the merger between IBA and Mallinckrodt's global nuclear imaging business for an in-depth investigation.

The companies both supply single photon emission computed tomography (SPECT) radiopharmaceuticals in the UK. These are used to diagnose disease in many different tissues and organs including bones, the brain, heart, kidneys, liver, and lungs.

The Competition and Markets Authority (CMA) has found that in one category of SPECT products supplied by the companies the merger will reduce the number of suppliers from 3 to 2 and this could substantially lessen competition. However, the size of the relevant market is below £5 million and the CMA has not found reasons to warrant an in-depth phase 2 investigation. Therefore, the CMA has decided to apply its statutory discretion not to refer this case.

This is the first case in which the CMA has exercised its discretion not to make a reference for this reason since publishing [revised guidance on 16 June](#).

For more information, please see the [case page](#).