

## News story: CMA issues provisional decision in relation to drug firm's pricing

The CMA has today issued a statement of objections to the pharmaceutical company Merck Sharp & Dohme Limited (MSD).

This sets out the Competition and Markets Authority's (CMA) provisional decision that MSD operated an anti-competitive discount scheme for its medicine Remicade. Remicade is the brand name for MSD's version of a biological medicine called infliximab, which is used primarily in the treatment of patients with gastroenterology and rheumatology conditions such as Crohn's disease, ulcerative colitis and rheumatoid arthritis.

The CMA has provisionally found that MSD broke competition law by abusing its dominant position through a discount scheme for Remicade that was likely to restrict competition from 'biosimilar' versions of infliximab that were new to the market.

At this stage of the CMA's investigation, these findings are provisional and no conclusion should be drawn that there has in fact been any breach of competition law. The CMA will carefully consider any representations by the company under investigation before determining whether the law has been infringed.

The CMA proposes to find MSD and its ultimate parent company Merck & Co., Inc. jointly and severally liable for the alleged infringement. The CMA opened this investigation in December 2015.

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