



The GVH terminated its proceeding relating to the conduct of Sanofi-Aventis

The Gazdasági Versenyhivatal (GVH – the Hungarian Competition Authority) established in the course of its investigation into the conduct of Sanofi-Aventis Magyarország Kereskedelmi és Szolgáltató Zrt. (Sanofi-Aventis) that there was no clear evidence of significant adverse consequences to consumers and that the continuation of the investigation was unlikely to lead to results; consequently, the authority terminated its proceedings.

The GVH initiated proceedings against Sanofi-Aventis for the suspected abuse of a dominant position in July 2014 because the GVH became aware of the fact that Sanofi-Aventis had refused to conclude a contract concerning the distribution of pharmaceuticals with a pharmaceutical wholesaler undertaking. Sanofi-Aventis distributes numerous pharmaceuticals that are essential for maintaining a competitive supply portfolio of pharmaceutical wholesalers and it can be presumed that Sanofi-Aventis has a dominant position on the relevant markets of these pharmaceuticals. Based on this presumption, it was suspected that Sanofi-Aventis placed – without justification – certain groups of the market participants in a disadvantageous position against the incumbent market participants i.e. those already present on the market. It was also suspected that when Sanofi-Aventis was selecting its pharmaceutical wholesaler partners it was adopting a practice that was not based on an assessment of the anticipated and actual economic gains resulting from the business relation in question.

In accordance with the Hungarian and the European competition law enforcement practice, harm to consumers' interests is the precondition of the intervention of the competition authority. In other words, competition law serves to ensure effective competition and benefits for consumers and is not aimed at protecting the mere existence of market players.

However, on the basis of the data gathered in the course of the competition supervision proceeding, there was no clear evidence that the conduct of Sanofi-Aventis could result in significant adverse consequences for consumers, and the GVH therefore terminated its proceeding.

Case number: **Vj/61/2014.**

Budapest, 18 April 2017.

Hungarian Competition Authority

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