

Good week for access to affordable medicines

By TESSEL MELLEMA

Just days after the United States (US) Supreme Court granted American regulators the legal right to investigate and fine pay-for-delay deals between originator and generics pharmaceutical companies, nine European drug makers, including Denmark-based, Lundbeck, were fined €146 million by the European Commission (EC) for implementing these deals.

'Pay-for-delay' deals occur when originator pharmaceutical companies pay generics companies to *not* supply a cheaper version of their medicine to the market after the medicine's patent expires. In the European case, Lundbeck received a rather paltry fine of €93.8 million for doing just this with its anti-depressant medicine, citalopram. Companies that entered into the agreement with Lundbeck (and received substantial payments from the company for doing so) were also fined.

These deplorable pay-for-delay deals, made behind closed doors, are bad for health care expenditures and even worse for public health. They prolong originator pharmaceutical company monopolies, which increases the cost of medicines potentially decreases access to them.

At a time when health budgets are facing severe budgetary constraints and millions of people in Europe and around the world cannot access or afford medicines, HAI Europe applauds the actions taken by the US Supreme Court and EC regulators. These measures will better protect and promote fair and effective pharmaceuticals competition and advance more equitable access to medicines.

We encourage American, European and other regulatory agencies to continue investigating and penalising pay-for-delay deals, particularly for essential medicines. We also urge pharmaceutical companies to take their social responsibility towards patients more seriously.