BEUC The European Consumer Organisation

The Consumer Voice in Europe

Avastin vs Lucentis

Letter sent to Vice-President Almunia on March 17th, 2014

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Mr. Joaquín Almunia
Vice-President
European Commission
Rue de la Loi, 200

B – 1049 Brussels

Ref.: BEUC-L-2014-097/MGO/IPA/cm

Brussels, 17 March 2014

Subject: Avastin vs Lucentis

Dear Vice-President Almunia,

Following our letter from 7 November 2013[1], I write on behalf of the European Consumer Organisation (BEUC), to reiterate our concerns with regard to potential anticompetitive practices put in place by Novartis and Roche for the sale of the pharmaceutical products Avastin and Lucentis across Europe.

As you might know, on 6 March 2014 the Italian Antitrust Authority[2] fined the pharmaceutical companies Roche and Novartis respectively 92 and 90,5 million euros for a cartel aimed at blocking the sale of an eye treatment 10 times cheaper than the one on the market. BEUC Italian member Altroconsumo took part to the case.
According to the Italian Authority the companies colluded to exclude the cheap drug Avastin (bevacizumab), used in the treatment of age related macular degeneration - the most common eyesight condition in the elderly - as well as other serious sight problems, and channel demand towards the much more expensive drug Lucentis (ranibizumab).
According to available scientific studies[3] the two products are equally effective to treat age related macular degeneration. Also the European Medicine Agency Committee for medicinal Products for human use CHMP agreed that *"detailed safety information provided from the CATT and IVAN studies is reassuring and no evidence can be provided that bevacizumab is systemically more unsafe than ranibizumab and vice-versa"* [4].

…/…

[1] http://www.beuc.eu/publications/beuc-x-2014-012_ipa_avastin_vs_lucentis-letter_to_v-p_almunia.pdf
[2] http://www.agcm.it/trasp-statistiche/doc_download/4112-i760-provvedimento.html
[3] - Comparison of Age-related Macular Degeneration Treatments Trials (CATT) Research Group, Ophthalmology Volume 119, Number 7, July 2012.
- Alternative treatments to inhibit VEGF in age-related choroidal neovascularisation: 2-year findings of the IVAN randomised controlled trial, The Lancet, July 2013.
[4] EMA/CHMP/332848/2012 - CHMP Type II Variation Assessment Report, "Avastin Report".

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The Italian Antitrust Authorities' report is unequivocal. The excerpts of correspondence between Roche and Novartis' representatives clearly show that the two companies set up specific strategies to artificially distinguish the two products and to unduly influence the choice of doctors and healthcare systems. The anticompetitive agreement caused the Italian National Health Service to sustain additional expenses estimated at over EUR 45 million in 2012, while increased future costs might exceed EUR 600 million per year. Due to the economic crisis, many EU Member States face difficulties in paying for medicines and ensuring access to treatments. This makes such practices even more deplorable.

Following the results of the Italian Antitrust investigation and taking into account that both products have been granted marketing authorization by the European Medicines Agency and are used in most Member States, we urge the European Commission to launch as soon as possible a similar investigation at a European scale. In particular we ask the European Commission to investigate if the above mentioned practices by Novartis and Roche violate Article 101 of the TFEU and if they cause detriment to consumers' health and welfare in all those Member States where Avastin and Lucentis are sold.

We remain at your disposal to further discuss our concerns.

Yours sincerely,

Monique Goyens
Director General

CC: Ms. Paola Testori-Coggi – Director General DG SANCO
Mr. Alexander Italianer – Director General DG COMPETITION