



Media Statement

For Immediate Release

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ACCESS TO CYSTIC FIBROSIS MEDICATION IN SOUTH AFRICA SECURED

In March 2022, the Competition Commission (Commission) initiated a complaint against Vertex Pharmaceutical Incorporated (“Vertex”), for allegedly engaging in exclusionary practices and excessive pricing in the provision of Kalydeco, Orkambi, Symdeko and Trikafta. These are drugs used to treat cystic fibrosis, a rare genetic disease that primarily affects the lungs and the pancreas.

Following the Commission’s investigation and various engagements with Vertex, Vertex gave formal undertakings to the Commission to continue to make Trikafta available in South Africa through Section 21 of the Medicines and Related Substances Act (“Section 21”), which enables the sale of unregistered drugs within South Africa. The Commission welcomes Vertex’s undertakings and as a result, it has non-referred all allegations against Vertex.

In its investigation, the Commission found that while Vertex had commenced efforts to provide access to Trikafta through Section 21, these drugs were not registered with the South African Health Products Regulatory Authority (“SAHPRA”). Therefore, patients could only access them from the United States of America (USA) or other countries outside South Africa. Consequently, patients would then import a few months’ supply of the medication. The Commission’s investigation also identified that Trikafta had broadly replaced the use of Kalydeco, Orkambi, and Symdeko among patients diagnosed with cystic fibrosis.

To reduce the financial burden on eligible patients, Vertex started supplying Trikafta in April 2024 through a local distributor. This makes Trikafta available locally at prices that enable cystic fibrosis patients to access treatment. Separately, financial assistance is available through a patient assistance programme managed by a non-government organisation, and eligible cystic fibrosis patients who belong to certain medical schemes get Trikafta at no cost as they also receive some financial assistance from their medical aid schemes.

The Commission is satisfied that the objectives of the Competition Act as well as public interests, are served by the outcomes of its investigation.

The Commission's decision to non-refer the complaint brings the investigation against Vertex to an end. However, the Commission reserves its right to take any enforcement actions against Vertex in the future should new evidence of abuse come to light.

[ENDS]

Issued by:

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