

## The CNMC initiates infringement proceedings against Hermandad Farmacéutica del Mediterráneo.

- In October 2022, the CNMC authorised the merger by absorption of Farmacéutica Conquense (COFARCU) by Hermandad Farmacéutica del Mediterráneo (HEFAME), subject to a series of commitments.
- HEFAME committed to amending its corporate bylaws, informing all its members in writing about the commitments undertaken, and submitting documentation to the CNMC.
- However, the company has failed to notify its members and has not submitted the required information within the established deadline, preventing the CNMC from verifying compliance.

**Madrid, 12 February 2025.** The Spanish National Markets and Competition Commission (CNMC) has initiated infringement proceedings ([SNC/DC/010/25](#)) against Hermandad Farmacéutica del Mediterráneo, Soc. Coop. Ltda. (HEFAME) for a possible breach of the commitments undertaken following its merger with Farmacéutica Conquense Sdad. Coop. CLM (COFARCU) ([C/1340/22](#)).

### History of the merger

On 26 October 2022, the CNMC approved the merger by absorption of COFARCU by HEFAME in its initial review phase, conditioning the approval on a set of commitments to preserve competition in the sector (see [press release](#)).

Specifically, HEFAME committed to:

- **Amending its corporate bylaws** regarding its members' obligations for tenure and minimum purchase requirements.
- **Informing all its members** (both from HEFAME and COFARCU) in writing about the commitments established in the CNMC's resolution.
- **Submitting documentation to the CNMC**, including the notice of the General Assembly and the minutes of the meeting, within ten days of its conclusion.

### Breach of commitments

HEFAME has not properly notified all its members nor submitted the necessary information within the required time frame for the CNMC to verify compliance.

To assess compliance with the commitment to notify all its members in writing, the CNMC requested information from a sample of HEFAME members, and some of them denied having received the notice.

On 14 October 2024, the CNMC officially declared HEFAME's non-compliance with the last two commitments: failing to submit certain documentation to the

CNMC and failing to inform all its members in writing about the commitments approved [in October 2022](#).

In light of these facts, the CNMC has initiated disciplinary proceedings for non-compliance with commitments. However, the initiation of proceedings does not prejudice the final outcome of the investigation. A maximum period of three months is now open for the investigation and resolution of the case.

**Related content:**

- [SNC/DC/010/25](#)
- [C/1340/22](#): HEFAME/COFARCU
- [Decision \(14/10/2024\)](#): VC/1340/22
- [Press release](#) (10/11/2022): Approval of the first-phase authorisation with commitments for the merger by absorption of Farmacéutica Conquense Sdad. Coop. CLM by Hermandad Farmacéutica del Mediterráneo, Soc. Coop. Ltda.