

For immediate release

21 August 2020

Health Justice Initiative (hji) and Ezintsha
COVID-19 medicine pricing

On **16 July 2020**, the **Health Justice Initiative – hji – and Ezintsha** (WITS University) jointly referred a medicine pricing matter to the Competition Commission for examination and review.

Given the COVID-19 pandemic at hand, and reports of excessive pricing of key medical supplies, hji and Ezintsha asked that the Commission look into the price of a medicine that early clinical evidence suggest could be used in the treatment of very ill patients with COVID-19 over time: remdesivir (a drug on patent, with a handful of generic licensees for South Africa). Separately, there are also intellectual property (patent) issues that the South African government will have to address with Gilead Sciences, the patent holder, that we will be raising too.

In July, the hji and Ezintsha requested that the Competition Commission fully examine the basis of the prices being charged by all suppliers of remdesivir including any generic licensees of remdesivir for South Africa (especially in the event that it is approved for clinical use by South African regulatory authorities) in both the public and private sectors.

hji and Ezintsha shared international price comparisons and other information with the Competition Commission that suggest that in certain instances, the prices charged do not necessarily correlate with available input costs, nor are they affordable in a time of a pandemic.

We have also urged the Competition Commission to engage in pre-emptive price regulation for any COVID-19 life-saving diagnostics, vaccinations and therapeutics because of the health and other rights guaranteed by our Constitution; the limitations and incompleteness of the current medicine pricing regime in South Africa, and because we are in the middle of a pandemic, which requires extraordinary regulatory and other measures.

We are confident that the Competition Commission will work with all relevant companies and stakeholders, including the national Department of Health, in the event that public and/or private sector procurement needs to take place in the next few months.

Lives may depend on it.

Ends

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