

UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION

COMMISSIONERS: Edith Ramirez, Chairwoman
Julie Brill
Maureen K. Ohlhausen
Joshua D. Wright
Terrell McSweeney

_____)
In the Matter of)
)
PFIZER INC.,)
a corporation;)
)
and) Docket C-4537
)
HOSPIRA, INC.,) , and its

authority thereunder, the Federal Trade Commission (Commission), having reason to believe that Respondent Pfizer Inc. ("Pfizer"), a corporation subject to the jurisdiction of the Commission, has agreed to acquire Respondent Hospira, Inc. ("Hospira"), a corporation subject to the jurisdiction of the Commission in violation of Section 5 of the FTC Act, as amended, 15 U.S.C. § 45, that such acquisition, if consummated, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18, and Section 5 of the FTC Act, as amended, 15 U.S.C. § 45, and it appearing to the Commission that a proceeding in respect thereof would be in the public interest, hereby issues its Complaint, stating its charges as follows:

IV. THE STRUCTURE OF THE MARKETS

7. Acetylcysteine inhalation solution is a mucolytic therapy used to treat certain respiratory disorders. In the United States, three companies supply generic acetylcysteine inhalation solution: Fresenius Kabi, which is partnered with Gland Pharma Ltd. and Pfizer; Hospira; and American Regent, Inc. Among the competitors, Fresenius/Gland/Pfizer is the market leader with an approximately 69% market share and Hospira has an approximately 22% share. The Acquisition would reduce the number of suppliers from three to two and increase the Herfindahl-Hirschman Index (“HHI”) by 3,036 points, resulting in a post-acquisition HHI of 8,362 points.
8. Clindamycin phosphate injection is an antibiotic used to treat lung, skin, blood, bone, joint, and gynecological infections. Pfizer, Hospira, Sagent Pharmaceuticals, and Fresenius Kabi currently supply clindamycin phosphate injection in the United States. Pfizer has an approximately 45% market share, while Hospira has a 39% share. The Acquisition would reduce the number of suppliers from four to three and increase the HHI by 3,562 points, resulting in a post-acquisition HHI of 7,276 points.
9. Voriconazole injection is an antifungal medication used to treat significant fungal infections. Pfizer and Sandoz currently sell voriconazole injection in the United States. Hospira is one of a limited number of suppliers capable of entering the voriconazole

VI. EFFECTS OF THE ACQUISITION

12. The effects of the Acquisition, if consummated, may be to substantially lessen