

OPINION | COMMENTARY

Lina Khan Blocks Cancer Cures

Illumina's acquisition of Grail would save lives, and it's crazy for the FTC to call it a monopoly.

By **John Tamny**

Pancreatic cancer is almost always fatal because it's already in late stages by the time it's caught. Imagine being able to diagnose it while it's still at stage 1. That can now be done thanks to Grail, a company with a mission to detect cancer early, when it can still be cured.

But Grail's potential to save lives is seemingly lost on Federal Trade Commission Chairman Lina Khan. She is making unceasing efforts, wrapped in antitrust language, to block Illumina's acquisition of Grail, a company it spun off in 2016. Based on past applications of antitrust law, there's no case against the combination. Given the numerous forms of cancer, and how defenseless we are against so many of them, it's difficult to make the argument that the merger of Illumina and Grail would amount to a monopoly. How can a service (early cancer detection) that doesn't yet exist amount to a monopoly?

None of this seems to matter

to Ms. Khan, whose main objective appears to be restraining the growth of successful businesses. The FTC's in-house administrative-law judge ruled against her arguments and approved the merger, but Ms. Khan overruled that decision this month. In the meantime, Illumina is prohibited from working to improve access to cancer detection.

Things are no better across the Atlantic. The European Union invented new rules to block the merger—never mind that Grail isn't available in Europe and won't be for years. There isn't even a market to regulate given the total lack of competing cancer blood tests. What antitrust regulators are doing has health implications well beyond the medically advanced U.S., as medical care is relatively primitive in much of the world.

Grail's acquisition is crucial. Illumina possesses what Grail lacks: global reach. The latter looms large on the matter of saving lives. Precisely because Grail's blood-testing technology

can detect cancer ahead of its most lethal stages, it's essential for hospitals in poorer countries lacking the ability to treat advanced stages of cancer.

For those in whom cancer is discovered late, the only realistic answer is making one's way to Western hospitals. Early detection would save money in advanced countries by catching cancer at stages where it's easier to treat.

Grail finds cancer while it's treatable, and Illumina possesses the global reach to help those who won't survive absent early treatment. The sooner they're allowed to work together—the sooner Lina Khan stops standing between them—the more lives that can be saved.

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