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广西市监局举行反垄断培训班

2019年7月25日，广西壮族自治区市场监督管理局（“广西市监局”）发布新闻称，其已于近日举行全区市场监管系统执法和反垄断工作会议暨培训班，对公平竞争政策、反垄断法律法规以及查办案件的技巧等业务知识进行了培训。国家市场监督管理总局（“市场监管总局”）反垄断局和江苏省市场监督管理局有关负责同志，为本次培训班进行了授课。广西所辖各市市场监管局分管局领导，执法稽查、反垄断执法机构监管人员近60人参加了本次培训。（[查看更多](#)）

Guangxi AMR Holds an Internal Antitrust Training Course

On 25 July 2019, the Administration for Market Regulation of Guangxi Zhuang Autonomous Region (“Guangxi AMR”) issued a press release that it has recently held an internal training course for nearly 60 officials. This training course focused on fair competition policy, antitrust laws and regulations, and investigation skills. Several officials from the Anti-Monopoly Bureau of the State Administration for Market Regulation (“SAMR”) and the Jiangsu Administration for Market Regulation delivered lectures at this training course. ([More](#))

湖北省市监局举行水泥行业反垄断法规专题培训

2019年7月24日，湖北省市场监督管理局（“湖北省市监局”）发布新闻称，其已于近日举行了水泥行业反垄断法规专题培训会。湖北省市监局反垄断处就《行业自律与垄断行为》进行了专题讲座，以明晰的说理、鲜活的案例重点讲解和分析了行业自律与垄断违法的关系，湖北省水泥工业协会理事会成员及全省水泥企业代表近150人参加了培训。（[查看更多](#)）

Hubei AMR Holds an Antitrust Training for the Cement Industry

On 24 July 2019, Hubei Administration for Market Regulation (“Hubei AMR”) issued a press release that it has recently held an antitrust training for local cement industry. The Anti-Monopoly Division of Hubei AMR delivered a lecture on *Industry Self-Discipline and Monopolistic Behavior* to explain and analyze the relationship between industry self-discipline and monopoly violation with clear reasoning and typical cases. Members of the Board of Directors of the Hubei Cement Industry Association and representatives of local cement enterprises, a total of 150 people, attended the training. ([More](#))

湖南省市监局立案办理5起垄断案件，7起案件正进行立案前调查

2019年7月22日，湖南省市场监督管理局（“湖南省市监局”）发布新闻称，其重点聚焦公用事业、原料药、建材、日常消费品、通信、互联网等民生领域的反垄断执法工作，组织对200多家原料药生产及流通企业进行了专项检查，并召开了公用企业反垄断行政告诫会。目前，湖南省市监局正立案办理的垄断案件共5起，7起案件正处于立案前调查阶段。市场监管总局反垄断局相关负责人已于近日深入湖南指导调研反垄断执法办案工作。（[查看更多](#)）

Hunan AMR Launches 5 Formal Investigations

On 22 July 2019, Hunan Administration for Market Regulation (“**Hunan AMR**”) issued a press release that its antitrust enforcement focuses on several areas, including public [utilities](#), active pharmaceutical ingredients (“**APIs**”), building materials, consumer goods, communications, the Internet, etc. Hunan AMR organized a special inspection of more than 200 APIs makers and distributors, and held an anti-trust administrative warning meeting for public utilities. 5 antitrust cases are now in Hunan AMR’s formal investigation proceedings while 7 cases are in the early stage. Furthermore, officials from SAMR recently visited Hunan to provide guidance for such investigation. ([More](#))

海外动态 Overseas News

涉嫌分割市场，英国两家医药公司遭反垄断指控

2019年7月25日，英国竞争与市场管理局（Competition and Markets Authority, “**CMA**”）宣称，2014年到2017年10月期间，两家医药公司AMCo（Advanz公司前身）和Morningside及一家批发商Alliance Healthcare达成了分割市场的协议，即两家医药公司分别向Alliance Healthcare供应同等份额的药品。此外，CMA调查发现，AMCo还曾于2014年5月向Morningside披露敏感的价格信息以减少两家之间的竞争。（[查看更多](#)）

CMA Accuses Pharma Firms of Market Allocation

On 25 July 2019, the Competition and Markets Authority (“**CMA**”) alleged that, from 2014 until at least October 2017, 2 suppliers, AMCo (now Advanz) and Morningside, and a wholesaler, Alliance Healthcare, entered into arrangements under which Alliance Healthcare would buy equal volumes of the drug from each of the 2 suppliers so that they would not compete. The CMA has also provisionally found that, in May 2014, AMCo disclosed sensitive pricing information to Morningside with the aim of reducing competition between them. ([More](#))

欧盟终止调查铁路公司ZSSK涉嫌阻碍反垄断调查案

2019年7月25日，欧盟委员会发布新闻称，其已终止对斯洛伐克铁路公司ZSSK涉嫌阻碍反垄断调查案的调查程序。2016年6月，欧盟委员会曾以涉嫌达成反竞争协议为由对ZSSK进行了突袭调查，期间，该公司提供虚假信息并删除笔记本电脑中数据的行为涉嫌构成阻碍反垄断调查的行为。经过详细评估相关证据，欧盟委员会决定不再进行进一步调查。目前，关于反竞争协议的反垄断调查尚在进行中。（[查看更多](#)）

EC Closes Proceedings Against Slovak Rail Company ZSSK Related to an Inspection

On 25 July 2019, the European Commission (“**EC**”) announced that it has terminated the proceedings against Slovak rail company ZSSK suspected of obstructing antitrust investigations, by giving incorrect information and deleting data from a laptop. Following a careful assessment of all the evidence, EC has decided not to further pursue the case. EC carried out inspections at ZSSK’s premises in June 2016 and

suspected that ZSSK may have entered into anti-competitive agreements in breach of EU antitrust rules. This investigation is still ongoing. ([More](#))

JFTC对著名婴幼儿品牌RPM行为发出禁止令

2019年7月24日，日本公平贸易委员会（Japan Fair Trade Commission, “JFTC”）发布新闻称，其已针对知名婴幼儿品牌康贝公司的转售价格维持行为（Resale Price Maintenance, “RPM”）发出禁止令。据悉，至迟自2015年1月开始，零售商若想经销康贝旗下“WHITE LABEL”品牌产品，需同意按照康贝公司的“建议零售价”进行销售方能得到供货。根据该禁止令，康贝公司被要求修改反垄断合规行为守则，定期开展员工培训及法律部门的审计活动等。
([查看更多](#))

JFTC Issues Cease and Desist Order to Combi Co., Ltd.

On 24 July 2019, the Japan Fair Trade Commission (“JFTC”) issued cease and desist order against Combi Co., Ltd. (“Combi”) for resale price maintenance (“RPM”). JFTC found that Combi, at the latest from January 2015, forced the retailers to sell the products under the brand of “WHITE LABEL” (“WL”) at the recommended retail prices (“RRP”) that Combi had set in the way that Combi supplied the WL by itself or through wholesalers to the retailers who agreed to sell the WL at the RRP. According to the cease and desist order, Combi was required to revise the code of conduct regarding antitrust compliance, and implement a regular training program for its employees and regular audits by the legal section. ([More](#))

美国参议员抨击反垄断执法“双龙治水”体制

2019年7月24日，美国参议员迈克·李（Mike Lee）发布声明称，司法部（Department of Justice, “DOJ”）下属反垄断局新近宣称对美国大型科技企业展开反垄断调查的事实进一步凸显了由两个联邦部门同时负责反垄断民事执法的“荒谬”。迈克·李认为，DOJ和美国联邦贸易委员会正在竞相寻求针对科技巨头的监管主导权。重复审查将不可避免地造成政府资源浪费，并导致不同机构在相同问题上的冲突立场。
([查看更多](#))

Sen. Lee Responds to DOJ Review of Online Platforms

On 24 July 2019, Sen. [Mike Lee](#) (R-UT) issued a statement that the recent announcement by the Department of Justice (“DOJ”) Antitrust Division that it will conduct a review of competitive conditions in the online marketplace further highlights the absurdity of having two federal agencies responsible for civil antitrust enforcement. Mike Lee deemed that the Federal Trade Commission and DOJ are now actively battling each other to take the lead in pursuing Big Tech and their duplicative reviews will inevitably waste government resources and lead to the agencies taking contradictory positions on the same issues.
([More](#))

美国司法部正式启动对大型科技企业的反垄断调查

2019年7月23日，美国司法部发布新闻称，其下属反垄断局正在对市场领先的在线平台进行审查，以评估这些平台是否以及如何获得市场力量，是否存在减少竞争、抑制创新或以其他方式损害消费者利益的行为。司法部的审查将着重考虑搜索、社交媒体和一些在线零售服务领域日益增加的竞争担忧。目前，司法部反垄断局正积极向公众寻求信息，其中包括对在线平台竞争有深入了解的行业参与者。（[查看更多](#)）

DOJ Reviewing the Practices of Market-Leading Online Platforms

On 23 July 2019, DOJ announced that the Antitrust Division is reviewing whether and how market-leading online platforms have achieved market power and are engaging in practices that have reduced competition, stifled innovation, or otherwise harmed consumers. The DOJ's review will consider the widespread concerns that consumers, businesses, and entrepreneurs have expressed about search, social media, and some retail services online. The Antitrust Division is conferring with and seeking information from the public, including industry participants who have direct insight into competition in online platforms, as well as others. ([More](#))

四大会计师事务所或将面临反垄断调查

2019年7月22日，据路透社报道，一名印度政府高级官员告诉记者，印度政府希望其反垄断执法机构评估四大会计师事务所（普华永道、安永、德勤和毕马威）及其分支机构是否以任何形式损害了市场竞争。该名官员表示，印度竞争委员会（Competition Commission of India, “CCI”）需要开展调查以评估四大会计师事务所在印度审计市场中是否存在滥用市场支配地位行为。目前，持有这种观点的印度企业事务部尚未就调查事宜向CCI提出正式要求。（[查看更多](#)）

India Govt wants Antitrust Review of Big Four Accountants

On 22 July 2019, the *Reuters* reported that the Indian government wants the country's antitrust body to assess whether the so-called “Big Four” auditing firms and their affiliates are hurting competition in any manner, a senior government official told reporters. The Competition Commission of India (“CCI”) needs to conduct a survey or an investigation to assess whether the Big Four that includes PwC, EY, Deloitte and KPMG are abusing their dominant position in the Indian audit market, said the official, who spoke about the matter on condition of anonymity. India's Ministry of Corporate Affairs, which holds that view, is yet to send any formal request to the CCI to probe the matter, said the official. ([More](#))

继在中国被罚后，韩泰轮胎再因RPM行为在韩被罚1.17亿韩元

2019年7月21日，韩国公平贸易委员会（Korea Fair Trade Commission, “KFTC”）表示，其已就韩泰轮胎的RPM行为开出1.17亿韩元（约合人民币68万元）的反垄断罚单。KFTC表示，

2017年1月至2018年11月期间，韩泰轮胎要求线下经销商仅能提供不超过工厂价40%的折扣，并通过监控销售活动、威胁减少或停止供货等手段迫使经销商遵守其要求。此外，早在2016年，韩泰轮胎即因RPM行为被上海市物价局处以217.52万元的反垄断罚款。（[查看更多](#)）

KFTC Fines Hankook Tire KRW 117m for RPM

On 21 July 2019, the Korea Fair Trade Commission (“KFTC”) announced that it has fined Hankook Tire & Technology KRW 117m (USD 99,472) for forcing its dealers to sell tires at above certain prices. According to the antitrust authority, Hankook Tire allowed offline dealers to offer discounts of only up to 40 percent of factory prices from January 2017 to November 2018. The company monitors all tire purchases and entered a permissible range for discounts in its smart transactions system that prevents dealers from offering tires at lower prices. Previously, Hankook Tire was fined about RMB 2.18m (USD 316,558) for RPM by China’s antitrust watchdog in 2016. ([More](#))

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