The GVH won the case against Auchan at the Curia of Hungary

Budapest, 13 November 2020 - The Curia of Hungary upheld in its entirety the GVH's decision to impose a record fine of more than one billion forints. Thus, it has now become final that Auchan has abused its significant market power. The Frech-owned hypermarket chain unilaterally charged its suppliers a fee in order for the suppliers' products to be stocked by Auchan.

The case dates back to 2015, when the Hungarian Competition Authority (GVH) established that Auchan Magyarország Kft. had violated the Trade Act by requesting an after sale price discount fee independent of turnover from about three-quarters of suppliers of non-food products for their products to be stocked by Auchan. The legislation prohibits the imposition of similar fees, and traders may not charge a fee for other services not required by the supplier either.

Following several judicial appeal forums, the case was referred to the Curia of Hungary for decision, which upheld the GVH's decision. The case was finally closed: the decision of the competition authority became final. The Authority imposed a fine of HUF 1,061,300,000 on the hypermarket chain. This is the highest amount in Hungary to date imposed by the Competition Authority in the application of the Act on Trade. The fines imposed by the GVH will belong to Hungary's central budget.

As before in the case of the identical type of infringement by SPAR, the Curia of Hungary confirmed in the Auchan case as well that it is contrary to Hungarian law for a hypermarket chain with significant market power to unilaterally charge additional fees to suppliers for a service for which there is no real consideration.

In the light of judicial confirmation, the GVH will continue to detect and investigate abuses against domestic suppliers in the Hungarian retail market and will act in their defense against large hypermarket chains.

The official registration number of the case is: **VJ/60/2012.**

GVH Press Office