

## PRESS RELEASE

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### **The Investigation and Prosecution Service of the Belgian Competition Authority has closed an investigation against the purchasing alliance between Carrefour and Provera after receiving commitments**

In May 2019, the Prosecutor-general of the Belgian Competition Authority (BCA) opened an *ex-officio* investigation regarding the purchasing agreement concluded in November 2018 between Carrefour Belgium and Provera (Louis Delhaize group's purchasing unit, including a.o. Cora, Match, Smatch, Delitrateur and Louis Delhaize shops) - (hereinafter referred to as "the parties") which concerns national brand products from approximately 140 suppliers as well as some first-price products originally negotiated by Carrefour.

In the days following the opening of this investigation, dawn raids were carried out at the premises of Carrefour and Provera.

In its preliminary assessment, the Investigation and Prosecution Service of the Belgian Competition Authority (hereinafter referred to as "BCA") considered that the negotiation of the purchasing conditions by Carrefour on behalf of the parties would present significant risks of information exchange between the parties and that the functioning of the purchasing alliance could likely impact the commercial strategy of Carrefour and Provera. The BCA considered that these exchanges of information and the functioning of the purchasing alliance could constitute infringements of competition law.

The parties have offered commitments to address the BCA's concerns. These commitments consist mainly in the transfer of the entire Carrefour purchasing department to a separate legal entity, Interdis, and in the stricter supervision of the exchange of information essential to the proper functioning of the alliance, whether it takes place between the parties themselves or between Interdis and the other departments of Carrefour.

In addition, the parties have also committed to ensure that joint negotiations will henceforth be limited to the strictly financial aspect, allowing each party to define its own commercial strategy in complete independence.

These commitments were submitted to a market test on 28 January 2021 and have been considered by the majority of interviewed suppliers to address the BCA's concerns, even if they will be watchful about the effective implementation of these commitments by Carrefour and Provera.

The BCA has considered that the commitments submitted by Carrefour and Provera were proportionate and suitable to address the identified potential restrictions of competition and has made them binding.

On this basis, the BCA decided to close the *ex officio* investigation. Consequently, the BCA did not take a position on whether or not the parties have infringed competition law.

The decision is available on the website of the Belgian Competition Authority.

**For more information you may contact:**

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The Belgian Competition Authority (BCA) is an independent administrative authority that contributes to the definition and implementation of competition policy in Belgium. Concretely, the BCA pursues anti-competitive practices, such as cartels and abuses of a dominant position, and reviews the main merger operations. The BCA cooperates with the other competition authorities of the member states of the European Union and the European Commission within the European Competition Network (ECN)