

**The Investigation and Prosecution Service of the Belgian Competition Authority has submitted a motivated proposal for decision in a case concerning the imposition by Caudalie of a maximum discount level on its network of selective distributors**

On 20 November 2020, the Investigation and Prosecution Service of the Belgian Competition Authority (BCA) has submitted a motivated proposal for decision to the President of the BCA following the formal inquiries that were opened on 28 November 2017 and 4 January 2018 regarding alleged anticompetitive practices committed by Caudalie, such as the imposition of a minimum resale price on its selective distributors by establishing a maximum discount level.

Caudalie is an undertaking whose main activity is the production and the distribution of cosmetics under the brand Caudalie. Caudalie sells its products via a selective distributor network of selective distributors.

In the motivated proposal for decision, the competition prosecutor alleges the existence of anticompetitive behavior attributable to Caudalie which consists mainly of the imposition of a minimum resale price on its selective distributors by establishing a maximum discount level, but also of the limitation of active and passive sales by its selective distributors that are active online for sales to consumers established in another Member State. Such conducts may be contrary to Article IV.1 CEL and Article 101 TFEU.

This case will now be examined by the Competition College, before which Caudalie will have the opportunity to defend itself against these objections. Caudalie will be able to submit written comments to the College and will be heard at a hearing. The College will either state that there exists an infringement of competition law or that there are no grounds for action. The proposed decision does not prejudice the College's decision.

**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)