

PRESS RELEASE

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The Belgian Competition Authority addresses a statement of objections to the Raffinerie Tirlémontoise and its parent company Südzucker relating to a possible abuse of economic dependence towards sugar beet growers

The Belgian Competition Authority has addressed a statement of objections to the Raffinerie Tirlémontoise NV ("Raffinerie Tirlémontoise") and its parent company Südzucker AG ("Südzucker") relating to a possible abuse of economic dependence within the meaning of Article IV.2/1 of the Code of Economic Law.

An abuse of economic dependence occurs when a company makes use of its particular market position to impose unfair conditions to one of various trading partners that do not have reasonable equivalent alternative, with the likely consequence of affecting competition on the Belgian market.

The practices in question in this matter pertain to unfair trading conditions putting sugar beet growers supplying the Raffinerie Tirlémontoise in a general state of uncertainty, notably with respect to their expected revenues, limiting unduly their autonomy in the management of their agricultural and commercial activities, and imposing on them a disproportionate share of the commercial risks involved in the sugar supply chain.

The statement of objections alleges that the relevant sugar beet growers are in a position of economic dependence towards the Raffinerie Tirlémontoise, that the practices under investigation are abusive and that they distort competition, notably in the procurement of sugar beet.

The issuance of a statement of objections does not prejudice the outcome of the ongoing proceedings. The Raffinerie Tirlémontoise and Südzucker are now entitled to exercise their rights of defense in full and to have access to the investigation file in order to prepare their response.

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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)