



NEWSLETTER

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Domestic News

Seven Ministries Jointly Issue Documents to Regulate Cement Market Order and Prevent Companies' Monopoly Behaviors

On May 25, 2021, the State Administration for Market Regulation, the Ministry of Industry and Information Technology, the National Development and Reform Commission, the Ministry of Ecology and Environment, the Ministry of Commerce, the Central Administration of Customs and the National Intellectual Property Administration jointly issued the *Opinions on Improving the Quality of Cement Products and Regulating the Order of Cement Market* (“*Opinions*”). The *Opinions* mentioned to create a fair and orderly cement market environment and increase the promotion of the *Anti-Monopoly Law*. It was also mentioned that regulators should strictly investigate and punish companies' monopoly behaviors such as monopoly agreements and abusive behaviors. Operators in the cement industry shall notify the antitrust authority of the State Council first once their concentration meets the notification standards set by the State Council, and operators shall not implement concentration without prior notification. ([More](#))

Five Departments Jointly Communicate with Key Companies in Bulk Commodities Industry

On May 19, 2021, the State Council held an executive meeting to deploy the work of stabilizing the supply and prices of bulk commodities. On May 23, five national departments held a meeting to jointly communicate with key companies with strong market influence in bulk commodities industries such as iron ore, steel, copper and aluminum. The Iron and Steel Association and the Nonferrous Metals Industry Association also attended the meeting. The meeting specified that the relevant regulatory authorities will pay great attention to and monitor the price trends of bulk commodities, strengthen the interdepartmental regulation of bulk commodity futures and spot markets, continue to strengthen law enforcement, investigate abnormal transactions and malicious hyping activities, and severely investigate and punish the illegal behaviors such as reaching and complementing monopoly agreements, spreading false information, price gouging and hoarding. ([More](#))

Overseas News

Washington D.C. Attorney General Sues Amazon for Utilizing Monopoly Agreements to Restrict and Eliminate Competition

On May 25, 2021, according to news report, Washington, D.C., Attorney General Karl Racine announced Tuesday that he is suing Amazon on antitrust grounds. Racine alleged that Amazon illegally maintained monopoly power by using contract provisions to prevent third-party sellers on its platform from offering their products for lower prices on other platforms. Racine claimed these agreements ultimately harm both consumers and third-party sellers by reducing competition, innovation and choice. ([More](#))

German Bundeskartellamt Initiates Antitrust Investigation Against Google Based on New Digital Rules

On May 25, 2021, German Bundeskartellamt issued a statement, stating that it had initiated a proceeding against Google based on the new digital rules. In January 2021, the 10th amendment to the *Gesetz*

gegen *Wettbewerbsbeschränkungen* (German Act Against Restraints of Competition, “GWB”) came into force. A key new provision set forth in Section 19a GWB now enables the authority to intervene earlier and more effectively, in particular against the practices of large digital companies. The authority has initiated a proceeding to determine whether Google is of paramount significance across markets. Meanwhile, in order to know whether consumers wishing to use Google’s services have sufficient choice as to how Google will use their data, the authority will also initiate a second proceeding undertaking an in-depth analysis of Google’s data processing terms. ([More](#))

BMW and VW to Face Lowered EU Antitrust Fines

On May 25, 2021, according to news report, BMW and Volkswagen (“VW”) are set to face reduced EU antitrust fines over clean air technology after regulators narrowed the scope of an investigation. It is said that the European Commission charged the German carmakers in 2019 with colluding to block the rollout of clean emissions technology. The case involved BMW, Daimler, VW, Audi and Porsche. The Commission said the investigation was ongoing and declined further comment. BMW and VW declined to comment. Last week BMW cut its antitrust provisions by EUR 1 billion after it estimated a lower EU fine. Daimler, which alerted the wrongdoing to the Commission, reiterated that it will not face a fine and declined further comment. ([More](#))

Coca Cola in EU Antitrust Regulators’ Crosshairs

On May 21, 2021, the European Commission announced that it had launched a preliminary investigation into Coca Cola Co. “We can confirm that the Commission has sent out questionnaires, as part of its preliminary investigation into Coca Cola,” a Commission spokeswoman said. Coca Cola confirmed that it had received a formal request for information and said that they will cooperate fully with the Commission. ([More](#))

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