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国务院常务会议：整治商务楼宇宽带垄断接入

2021年4月7日，国务院总理李克强主持召开国务院常务会议，提出要进一步推动网络提速降费，提升网络和服务质量。要坚决整治商务楼宇宽带垄断接入、强行加价等行为，确保终端用户享受到提速降费的优惠。适当降低宽带接入网业务准入门槛，支持民营企业等参与，以市场公平竞争促进资费下降。（[查看更多](#)）

Executive Meeting of the State Council: Rectifying the Broadband Access Monopoly in Office Buildings

On April 7, 2021, Premier Li Keqiang chaired an executive meeting of the State Council. He proposed to further promote the cheaper and faster internet connection and improve the quality of internet and services. The government will resolutely rectify the behaviors such as broadband access monopoly and forced markup in office buildings, and ensure that the terminal users can enjoy the benefits of a cheaper and faster internet connection. The government will appropriately lower the thresholds for broadband access network services, support the participation of private enterprises, and promote to lower the rates through fair market competition. ([More](#))

市场监管总局：2021年积极配合立法机关修订反垄断法，加强反垄断执法监督

2021年4月2日，国家市场监督管理总局（“市场监管总局”）公布2021立法工作计划。其中，为加强和改进反垄断执法，市场监管总局将继续配合立法机关做好《中华人民共和国反垄断法》的修订工作。2021年4月1日，《中国纪检监察报》在其头版文章中提到，市场监管总局把加强反垄断执法监督作为工作重点。针对相关工作人员辞职后进入大型互联网企业等情况，将完善竞业限制等制度。（[查看更多](#)）

SAMR: Actively Cooperate with the Legislative Bodies to Revise the Anti-Monopoly Law in 2021, and Strengthen the Supervision of Antitrust Enforcement

On April 2, 2021, the State Administration for Market Regulation (“SAMR”) published its 2021 Legislation Work Plan. According to the Plan, SAMR announced that in order to strengthen and improve the antitrust enforcement, SAMR will continue to cooperate with the legislative bodies to revise the *Anti-Monopoly Law*. On April 1, 2021, the article published at the front page of *China Discipline Inspection Daily* mentioned that SAMR had listed strengthening the supervision of antitrust enforcement as its work focus. In response to relevant staff entering internet giants after resignation, SAMR will perfect the systems such as non-competition system. ([More](#))

天药股份因实施原料药垄断协议，或将被罚没4400万

2021年4月2日，天津天药药业股份有限公司（“天药股份”）发布公告称，其于2021年4月1日收到天津市市场管理委员会（“天津市市管委”）下发的处罚告知书。天津市市管委认为，天

药股份以协议形式划分醋酸氟轻松原料药销售市场，并变更、固定原料药价格，排除限制了原料药销售领域的竞争，属于达成并实施垄断协议，因此天津市市管委拟没收其违法所得并对其处以2019年度销售额4%的罚款，合计约4400万。（[查看更多](#)）

Tianjin Tianyao to be Fined CNY 44 Million for Implementing APIs Monopoly Agreement

On April 2, 2021, Tianjin Tianyao Pharmaceuticals Co., Ltd (“Tianjin Tianyao”) issued an announcement, stating that it received a penalty notice from Tianjin Administration for Market Regulation (“Tianjin AMR”) on April 1, 2021. Tianjin AMR believed that Tianjin Tianyao divided the fluocinolone acetoacetate Active Pharmaceutical Ingredients (“APIs”) market and change and fix the price of APIs in the form of monopoly agreement. This behavior eliminated and restricted the competition in the APIs sales market and therefore Tianjin AMR intends to confiscate Tianjin Tianyao’s illegal income and impose a fine of 4% of its 2019 sales, totally CNY 44 million. ([More](#))

中国化学制药工业协会发布《医药行业合规管理规范》

近期，中国化学制药工业协会发布了《医药行业合规管理规范》，提出了医药行业企业合规所需注意的多个领域规范，对反垄断领域的合规要求集中在附录B中，规定了包括企业反垄断合规制度设计执行、企业垄断行为风险防范、企业并购交易涉及的经营者集中申报义务等内容。该文件自2021年2月26日起正式实施。（[查看更多](#)）

CPIA Issues Pharmaceutical Industry Compliance Management Norms

Recently, the China Pharmaceutical Industry Association (“CPIA”) issued the *Pharmaceutical Industry Compliance Management Norms* (“Norms”). The Norms put forward regulations in multiple areas that pharmaceutical companies should pay attention to. The antitrust compliance requirements are stipulated in Appendix B, which includes the design and implementation of the enterprise antitrust compliance system, the prevention of enterprise monopoly behaviors, and the notification obligations of enterprise mergers and acquisitions. The Norms took effect on February 26, 2021. ([More](#))

海外动态 Overseas News

加拿大竞争局设定医疗市场研究主题

2021年4月8日，加拿大竞争局（the Canadian Competition Bureau, “CCB”）发布了一份关于其正在进行的医疗市场研究的通知。该通知提出这项研究有三个主题：医疗数据信息、医疗数据相关的产品服务以及医疗产品服务提供者向患者提供数字服务的能力。在研究过程中，CCB将收集分析不同来源的信息，包括咨询专家、医疗决策者及其他关键利益相关方，同时还将参考学术文献，以及其他司法辖区的经验。预计最终报告将于2022年春季发布。（[查看更多](#)）

CCB Sets Scope for Digital Health Market Study

On April 8, 2021, the Canadian Competition Bureau (“CCB”) issued a market study notice in relation to its ongoing study of the health care sector. The notice presented the three topics of study: digital health data information, related digital health products and service, and the ability of health care providers to deliver digital care to patients. Over the course of the study, CCB will gather and analyze information from various sources. CCB will consult experts, health care sector decision-makers and other key stakeholders, as well as review the academic literature and the experience of other jurisdictions. The final report is expected to be released in the spring of 2022. ([More](#))

英国新设数字市场部门将推动线上竞争

2021年4月7日，英国竞争与市场管理局下设的数字市场部门（Digital Market Unit, “DMU”）正式运行。DMU将负责监督给予消费者更多对其数据的选择权和控制的计划，推动线上竞争，打击不公平行为。政府已经要求DMU开始研究行为守则如何能够在实践中发挥作用，以管理数字平台和团体之间的关系，这些团体包括依赖平台登广告或利用平台服务来获得客户的小企业。DMU将采取部门中立的态度，以促进竞争为目标，审查平台在系列数字市场中的角色。
([查看更多](#))

New Watchdog to Boost Online Competition Launches

On April 7, 2021, the Digital Markets Units (“DMU”), based in the Competition and Markets Authority (“CMA”) began to work. DMU will oversee plans to give consumers more choice and control over their data, promote online competition and crack down on unfair practices. The government has asked it to begin looking at how codes of conduct could work in practice to govern the relationship between digital platforms and groups such as small businesses which rely on them to advertise or use their services to reach their customers. It will take a sector neutral approach in examining the role of platforms across a range of digital markets, with a view to promoting competition. ([More](#))

FTC附条件批准嘉露酒庄收购星座公司

2021年4月5日，美国联邦贸易委员会（Federal Trade Commission, “FTC”）宣布，其已批准附条件批准嘉露酒庄对竞争对手星座公司的资产收购案。FTC认为，嘉露酒庄以17亿美元收购星座公司资产的行为可能消除两家公司之间的正面竞争，并大幅削弱六种葡萄酒和烈酒在美国市场的竞争。FTC最终要求嘉露酒庄剥离数条产品线，并从拟议资产购买协议中删除部分产品线。
([查看更多](#))

FTC Conditionally Clears Acquisition of Constellation Brands, Inc. by E. & J. Gallo Winery’s Acquisition

On April 5, 2021, the Federal Trade Commission (“FTC”) announced that it approved the proposed acquisition of Constellation Brands Inc. (“Constellation”)’s assets by E. & J. Gallo Winery (“Gallo”). The approval is conditional. FTC concerned that the \$1.7 billion acquisition of assets from Constellation by Gallo would likely eliminate head-to-head competition between the two companies, and would substantially lessen competition in the United States for six types of wine and spirits products. The final order

requires Gallo to divest several product lines and remove certain others from its asset purchase agreement with Constellation. ([More](#))

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