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Belgian Competition Authority imposes fine of EUR 5.5 mio for resale price maintenance and abuse of dominance

March 2017

On 23 March 2017, the Belgian Competition Authority ('BCA') imposed a fine for, among others, resale price maintenance. Algist Bruggeman, a producer of fresh bakers' yeast, was found to have fixed the resale price of its independent distributors for more than 5 years. Such distributors were only allowed to deviate from the resale price imposed following approval from Algist. Furthermore, Algist was found to have granted rebates to its distributors to discourage the latter from buying products from low price competitors. Finally, the manufacturer made the sale of specific products dependent on the purchase of machinery to dose such products (tying). The depreciation period of such machinery was artificially long and linked to non-compete obligations.

The BCA opened an *ex officio* investigation in January 2013 following an informal complaint. The fine of EUR 5,489,000 was imposed on Algist Bruggeman and its parent company Lesaffre et Compagnie in the context of a settlement procedure. The companies involved cannot appeal the settlement decision.

The fine imposed by the BCA demonstrates a renewed interest of the BCA in vertical restrictive

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practices.

For more information, you can have a look at the following:

- [Decision](#) BCA (N°3/2017) of 22 March 2017 (only available in Dutch)
- [Press release](#) BCA of 23 March 2017