

|                             | Number of resolved cases/files in 2019 |                          |            |
|-----------------------------|--|--------------------------|------------|
|                             | Antitrust and merger cases             | Unfair trading practices | Total      |
| I Administrative cases      | 42                                     | 9                        | <b>51</b>  |
| II Non-administrative cases | 668                                    | 53                       | <b>721</b> |
| Subtotal:                   | 710                                    | 62                       | <b>772</b> |

Source: Croatian Competition Agency

### 1 Antitrust and merger cases

*Non-administrative cases* in the area of antitrust and merger control includes the following:

- *Advocacy (opinions)* in the area of antitrust and merger control includes: opinions on draft proposals for laws and other legislation and opinions on applicable laws and other legal acts;
- *Other non-administrative cases* in the area of antitrust and merger control includes: sector inquiries and preliminary investigations in the relevant market, data base files, files involving notifications of concentrations received in the referral procedure under the Council Regulation (EC) No 139/2004<sup>1</sup>, files involving cooperation with other competent authorities and sector regulators, international cooperation files and CCA internal acts, all other responses to the addressed actors under the Competition Act.

### 2 Unfair trading practices

*Non-administrative cases* in the area of unfair trading practices in the food supply chain include the following:

- *Opinions* in the area of unfair trading practices in the food supply chain containing the responses given to the questions asked by the addressed actors under the Act on the prohibition of unfair trading practices in the business-to-business food supply chain (UTPs Act, Official Gazette No 117/17<sup>2</sup>), concretely, producers, buyers, processors, wholesalers and retailers;
- *Other non-administrative cases* in the area of unfair trading practices that comprise:
  - market investigations in the agri- and food products (re-sellers, buyers and/or processors),
  - inquiries into the business relations between particular re-sellers and their suppliers, buyers and/or processors and their suppliers,
  - work on the amendments to the Act on the prohibition of unfair trading practices in the business-to-business food supply chain (UTPs Act) in collaboration with the Ministry of Agriculture that is empowered for bringing into compliance of the existing UTPs Act with the

<sup>1</sup> Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) Official Journal L 24, 29.01.2004

<sup>2</sup> UTPs Act (Official Gazette No 117/17), entered into force on 7 December 2017 whereas its full application started on 1 April 2018. The UTPs Act specifies the rules and a system of measures for prevention of imposition of unfair trading practices, it defines unfair trading practices in the food supply chain, the imposition of which enables the use of strong bargaining power of the buyer and/or processor or re-seller with respect to their suppliers.

relevant provisions of the Directive (EU) 2019/633<sup>3</sup>, which started with the preparation of the revisions of the UTPs Act now in effect in October 2019 (the CCA staff has been included in the work of the Commission for preparation of the draft proposal of the Act on the Amendments to the UTPs Act,

- other activities (active participation in the meetings of the ECN Food Subgroup in Bruxelles, seminars and workshops, roundtables etc.).

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<sup>3</sup> The Directive (EU) 2019/633 of the European Parliament and of the Council of 17 April 2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain entered into force on 30 April 2019. It is the first piece of legislation tackling the unfair trading practices issues at the EU level that introduces a minimum Union standard of protection against unfair trading practices. It establishes a minimum list of prohibited unfair trading practices in relations between buyers and suppliers in the agricultural and food supply chain and lays down minimum rules concerning the enforcement of those prohibitions and arrangements for coordination between enforcement authorities.