

JFTC Published the Report on the Trade between Food Manufacturers and Wholesalers.

October 19/2011
Japan Fair Trade Commission

The Japan Fair Trade Commission (JFTC) has positively and strictly enforced the Antimonopoly Act (AMA) against the abuse of superior bargaining position and has also been putting much effort to prevent the abuse through the survey. In these regards, we have made clear what kind of conducts could be against the AMA by developing “Guidelines Concerning Abuses of Superior Bargaining Position under the Antimonopoly Act” in 2010.

The JFTC has conducted the surveys and publicized the results on trades between large retailers and wholesalers (Published in February 2005, December 2006, May 2010). However there might be a possibility that there exists the abuse of superior bargaining position in the trade between wholesalers and manufacturers and in this regard, JFTC conducted the survey this time to understand the actual situation on the trades between them. As a subject of this survey for manufacturers, JFTC focused solely on food manufacturers.

The survey results revealed the existence of: 1) some conducts in the past which might lead to the abuse of superior bargaining position between food manufacturers and wholesalers; and 2) some acts that wholesalers unreasonably requested the manufacturers due to the retailers’ request to wholesalers, that is, the structure that the large retailers’ conducts could be the source of the abuses in questions.

Mr. Takashi Yamamoto, the Secretary-General of the JFTC, said, “the JFTC will request related trade associations of the wholesalers and larger retailers to make their umbrella organizations thoroughly understand the contents of “Guidelines Concerning Abuses of Superior Bargaining Position under the Antimonopoly Act” when we explain the results of the survey. We will also hold seminars for both the wholesalers and retailers to further prevent such violations. In any case, the JFTC will take an active measure against the illegal abuses of superior bargaining position.

*Every announcement is tentative translation.