

The JFTC Issued Cease and Desist Order and Surcharge Payment Orders to the Participants in Bidding for the Greenhouse Horticultural Facility Works ordered by Local Municipality, etc. in Miyagi , Fukushima.

February 16, 2017
Japan Fair Trade Commission

The Japan Fair Trade Commission (JFTC) today issued cease and desist order and surcharge payment orders to the participants in bidding for the construction works of greenhouse horticultural facilities ordered by local municipality, etc. in Miyagi and Fukushima, finding that they substantially restrained competition in the field of the works by designating successful bidders and enabling those bidders to win the biddings. The total amount of the surcharge to be paid is 592.53 million yen.

The JFTC also found that the corporation's employees in charge of ordering the works induced or facilitated the violations in such ways as informing certain participants in the biddings of the estimated amount as the basis of the upper limit price or the names of nominated participants. Therefore the JFTC also urged Miyagi Agriculture Development Public Corporation, which was entrusted with management work of the bidding from local municipality, to take appropriate measures to prevent recurrence of the conducts mentioned above.

In the hearing procedure, the JFTC notified the participants of the contents of the proposed orders in writing and provided them with opportunities to view and copy the evidence which became a basis for the orders and to submit their opinions and evidence to the JFTC. Before issuing the orders, the JFTC took into consideration the opinions and the evidence submitted. A recipient dissatisfied with the orders may file a revocation suit against the JFTC as a defendant, within 6 months from such knowledge or within a year from the date of the orders.

* "greenhouse horticultural facilities" means facilities for growing crops in the greenhouse and protecting crops from bad weather.

* Every announcement is tentative translation. Please refer to the original text written in Japanese for more details.