



公正取引委員会
Japan Fair Trade Commission

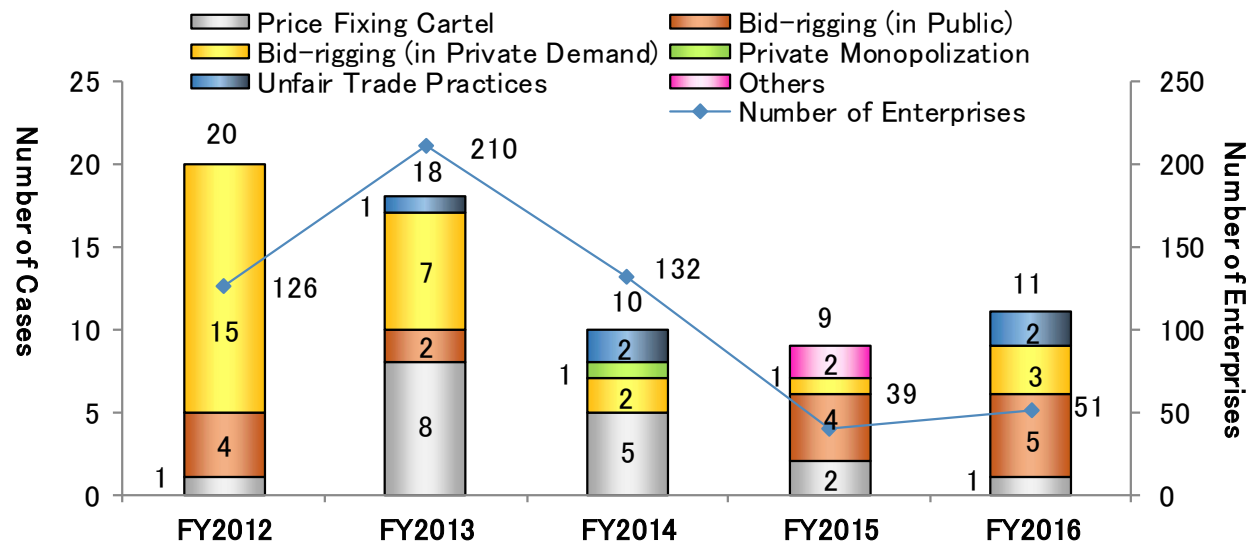


Enforcement of Antimonopoly Act in FY2016 (Summary)

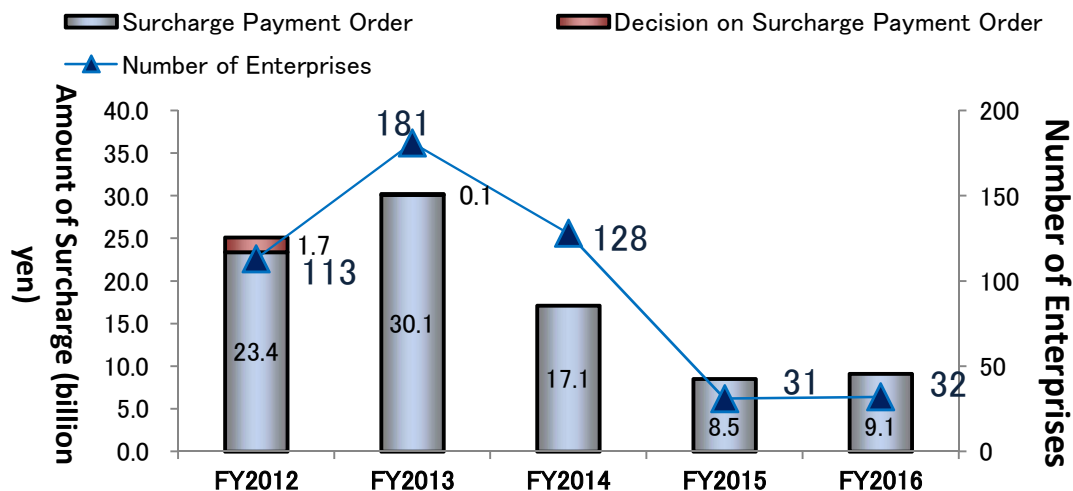
June 7, 2017

Japan Fair Trade Commission

◆ JFTC issued 11 cease and desist orders.

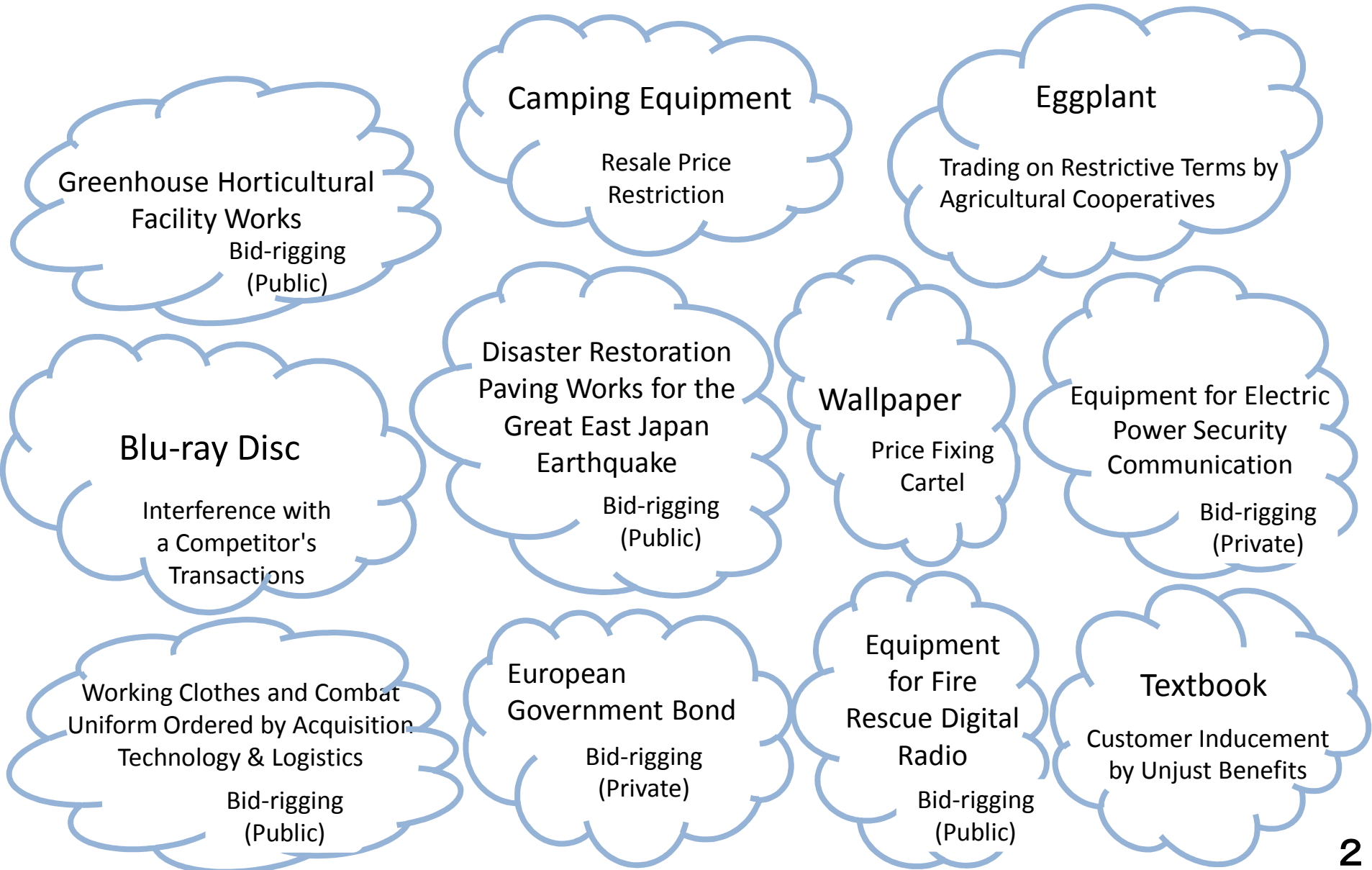


◆ Total Surcharges Amount : Approx. 9.1 Billion Yen.





◆ Goods and Services on Cases Investigated by JFTC FY2016



- ◆ JFTC strictly investigates on abuse of superior bargaining position cases, and from the viewpoint for preventing it, conducts investigations in an efficient and effective manner.
 - JFTC established “Task Force for Abuse of Superior Bargaining Position”.

⇒ JFTC issued cautions to such enterprises as retailers, wholesalers, hotels, etc. whose practices may lead to infringements.

FY	2012	2013	2014	2015	2016
Cautions	57	58	49	51	48

- ◆ Speedy Enforcement for Prevention
 - Regarding alleged cases in retail sectors such as liquors, petroleum products and home appliances, JFTC sets a goal to complete its investigations within two months in principle.
 - Cautions are given to the cases which may lead to unjust low price.

FY	2012	2013	2014	2015	2016
Liquor	1,123	847	635	490	420
Petroleum product	426	452	326	341	732
Home Appliances	121	29	3	3	1
Others	66	38	18	7	2
Total	1,736	1,366	982	841	1,155

Establishing
Guidelines on
Agricultural
Cooperatives

Setting Agriculture
Case Task Force

Setting Contact
Hotline of
Agriculture Case
(Apr. 15, 2016)

- JA Tosa-Aki had taken charge of sales of eggplants from its members on the conditions which restrict the members' business activities.
⇒ Cease and Desist Order (Mar. 29, 2017)

First case where JFTC issued cease and desist order against joint selling activities of agricultural cooperatives

IT Sector

Setting
IT Task Force

Setting Contact Hotline of
IT/digital sector
(Oct. 21, 2016)

- **Amazon Japan G.K. was alleged to have restricted business activities of Sellers in Amazon Marketplace by imposing parity clauses, which compelled Sellers to set the prices of them cheaper than those of any other channels in contract between Amazon Japan G.K. and Sellers.**
 - ⇒ Amazon Japan G. K. voluntarily proposed to take measures including deletion of the clauses (JFTC's press release on Jun. 1, 2017).

IP sector

Establishing
IP Guidelines

Setting IP Task Force

- **One-Blue, LLC unjustly interfered with a transaction of another competitor in the domestic market of recordable Blu-ray Disc.**
 - ⇒ JFTC found One-Blue violated the AMA (JFTC's press release on Nov. 18, 2016).

- ◆ JFTC requested trade associations, orderers, etc. for taking necessary measures considered to be taken from the competition policy viewpoint in several investigation cases.

Trade Associations etc.	Contents of Requests
Textbook Publishers Association	<p>The publishers of textbooks for compulsory education conducted the practices that could be Customers Inducement by Unjust Benefits.</p> <p>⇒ In order to prevent members of Textbook Publishers Association from conducting similar behaviors, JFTC requested the Association for the followings ;</p> <p><u>(i) The Association shall consult sufficiently with the JFTC about the content of “Guidelines concerning the conducts of textbook publishers”, which the Textbook Publishers Association is making.</u></p> <p><u>(ii) The Association shall consult sufficiently with the JFTC about the methods for dissemination and audit methods concerning compliance after its making “Guidelines concerning the conducts of textbook publishers”.</u></p>
Orderers of Equipment for Fire Rescue Digital Radio	<p>In some of the bids for equipment for fire rescue digital radio, JFTC found the followings ;</p> <p>i) the orders prepared the specifications in accord with ones proposed by specific manufacturers,</p> <p>ii) specific manufacturers were alleged to have gotten the information designated bidders or applier for bids and to have been involved in selections of designated bidders, eligibility to join bids, ordering methods, etc.</p> <p>⇒ JFTC notified the orderers to take care of preventing such practices.</p>
Miyagi Agriculture Development Public Corporation	<p>The corporation’s employees in charge of ordering the works inform certain participants of the estimated amount as the basis of the upper limit price or the names of nominated participant in the biddings for the Greenhouse Horticultural Facility Works, with which the Corporation was entrusted.</p> <p>⇒JFTC requested the Corporation to take appropriate measures to prevent recurrence of the conducts mentioned above.</p>