

**The Japan Fair Trade Commission Issued Cease and Desist Order
to Aprica Children's Products G.K.**

July 1, 2019

Japan Fair Trade Commission

The Japan Fair Trade Commission today issued cease and desist order pursuant to the provision of Paragraph 2, Article 20 of the Antimonopoly Act (hereinafter referred to as “AMA”) against Aprica Children's Products G.K. (hereinafter referred to as “Aprica”).

In this case, Aprica had committed an act that violates Article 19 (falling under the Item 4, Paragraph 9, Article 2 [Resale Price Maintenance]) of the AMA.

1. Violation Company

Enterprise identification number	9120001130049
Name	Aprica Children's Products G.K.
Address	1-13-13 Shimanouchi, Chuo-ku, Osaka city, Osaka
Representative	NWL Netherlands Holding II B.V.
Executive Officer	Hidehiro Maeda
Outline of business	Sale of baby products ¹ , etc.

2. Summary of the Violation

Aprica, at the latest from May 2016, conducted the following acts to force retailers to sell the baby products under the brand of “Aprica”, “GRACO” or “BABY JOGGER” (hereinafter referred to as “the Aprica's baby products”) at the recommended retail prices that Aprica had set (hereinafter referred to as “the RRP”).

- (1) Aprica conducted the following acts to find out retailers who were selling or were trying to sell the Aprica's baby products at a prices lower than the RRP.
 - (a) Aprica regularly monitored retail prices of retailers selling the Aprica's baby products.
 - (b) Before retailers handed out the flyers, Aprica confirmed by itself or through the wholesalers the retail prices of the Aprica's baby products which were posted on drafts of the flyers.
 - (c) Aprica received the complaints from the wholesalers and the retailers

¹ “Baby Products” means goods mainly used for raising babies such as baby stroller, car seat, cradle, baby carrier, diaper pail, etc.

about the retailers who were selling the Aprica's baby products at prices lower than the RRP.

- (2) When it turned out by the acts of (1) above that the retailers were selling or were trying to sell the Aprica's baby products at a price lower than the RRP, Aprica requested the retailers by itself or through the wholesalers to sell the Aprica's baby products at the RRP.
- (3) If the retailers who were selling the Aprica's baby products at prices lower than the RRP did not follow the requests by the act of (2) above, Aprica took sanctions such as blocking of supplies against the retailers by itself or through the wholesalers.

3. Summary of Cease and Desist Order

- (1) Aprica shall adopt a resolution at its business execution organization confirming that it has terminated the acts written in section 2 above, and that it will never conduct similar acts with regard to sales of the Aprica's baby products.
- (2) Aprica shall notify the measures taken in accordance with item (1) above to its wholesalers and retailers, and shall have such measures thoroughly disseminated to consumers as well as its employees.
- (3) Aprica hereafter shall never conduct any acts similar to the acts in section 2 above with regard to sales of the Aprica's baby products.
- (4) Aprica shall take measures necessary to implement regular training program for its employees and regular audits by the legal section, with regard to compliance with the AMA in relation to transactions with wholesalers and retailers.

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

URL: <https://www.jftc.go.jp/houdou/pressrelease/2019/jul/190701.html>