

Enforcement of the Antimonopoly Act in FY2024 (Summary)

May 1, 2025
Japan Fair Trade Commission

Key Features of FY2024

● Strict Enforcement Against Anticompetitive Conduct in Regulated Sectors

Strict actions were taken in nine cases involving price-fixing cartels in corporate insurance services by major non-life insurance companies. In addition, for the first time, cease and desist orders were issued in two cases where fishery cooperative federations requested their members (producers) to ship all their marine products through the federations.

● Proactive Response to Anticompetitive Conduct by Digital Platform Operators

The JFTC approved a commitment plan submitted by Google LLC in a case involving alleged interference with competitors' transactions, thereby resolving the competition concerns. The JFTC also launched an investigation into suspected violations of the Antimonopoly Act by Amazon Japan G.K. and others.

● Proactive Measures Against Resale Price Maintenance in Consumer Goods

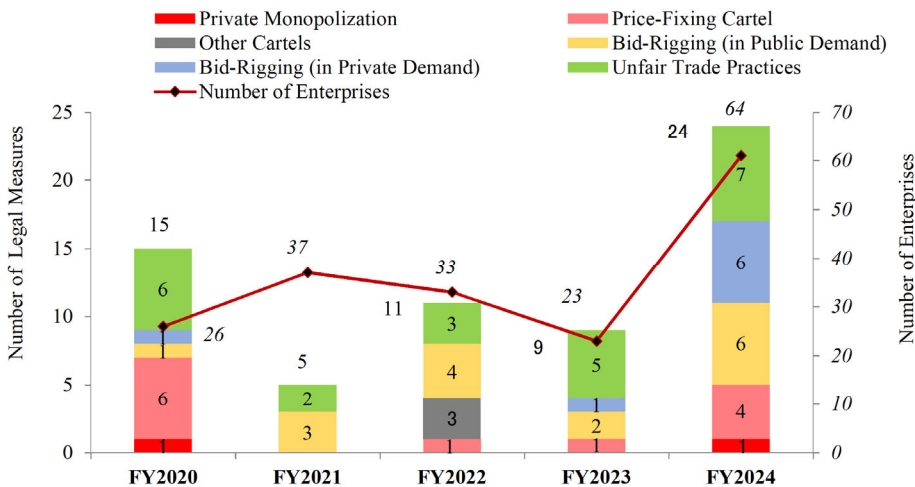
A warning was issued regarding suspected resale price maintenance by a major food manufacturer. A cease and desist order was also issued against a major furniture wholesaler for engaging in resale price maintenance.

● Addressing Conduct that Unfairly Disadvantages SMEs and Other Businesses

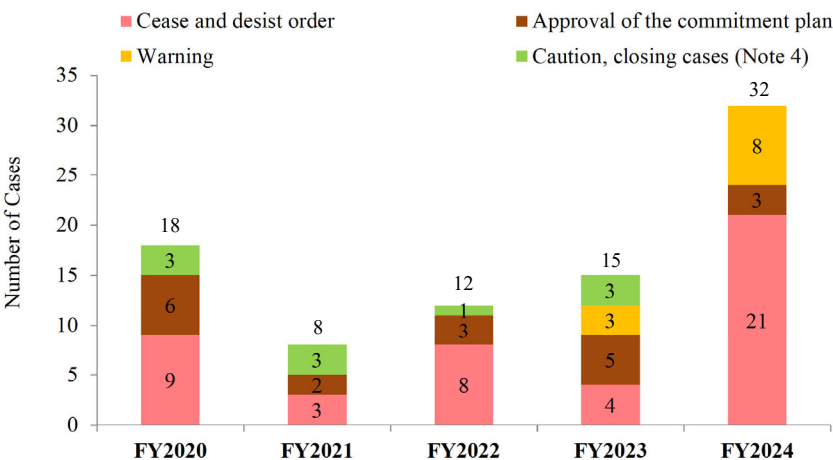
Swift action was taken against large ordering-side enterprises that hinder appropriate price pass-through by SMEs and other suppliers. In the logistics sector, a commitment plan was approved and a warning was issued to shippers regarding their conduct toward logistics operators, while prompt responses were also made to practices that could potentially constitute abuse of superior bargaining position.

24 Legal Measures (21 Cease and Desist Orders and Three Approvals of Commitment Plans)

【Number of Legal Measures (Note 1)】



【Number of Cease and Desist Orders, etc.】



(Note 1) “Legal Measures” consist of Cease and Desist Orders, Surcharge Payment Orders, and approvals of Commitment Plan. If a Cease and Desist Order and a Surcharge Payment Order are jointly issued for a single case, the number of legal measures is counted as one.

(Note 2) If a case relating to both provisions concerning Private Monopolization and Unfair Trade Practices, such case is classified as Private Monopolization.

(Note 3) “Other Cartels” are cartels involving quantity, sales channels, prohibitions on customer movement, facility restrictions, etc.

(Note 4) “Caution, closing cases” only include cases for which summaries were published.

Total Amount of Surcharge: Approx. 3.7 billion JPY

Amount of Surcharge after FY2020

Fiscal year	FY2020	FY2021	FY2022	FY2023	FY2024
Surcharge Payment Order					
Amount of Surcharge (JPY Billion) (Note)	4.32	2.18	101.98	0.22	3.7
Number of Enterprises	4	31	21	16	33

(Note 5) Amount of Surcharge is rounded down to the nearest 10 million yen.

Products and Services Involved in Cases Published by the JFTC in FY 2024

IT, Digital Sectors	Public Procurement and Industrial Goods Services		Areas Closely Related to People's Lives	
Google Mobile Syndication Transactions First Legal Action <u>Private Monopolization, Interference with a Competitor's Transactions</u>	Non-life Insurance for Enterprises <u>Price-Fixing Cartel, Bid Riggings (in Public Procurement) and (in Private Demand)</u>	Transaction between a leading wholesaler of plumbing materials, etc. and logistics operators <u>Abuse of Superior Bargaining Position (Violation of the Logistics Special Designations)</u> First Legal Action	Instant noodles and food products <u>Resale Price Maintenance</u>	Transaction of dried seaweed between the fishery cooperatives and producers <u>Trading on Restrictive Terms</u>
Cloud Services for Construction Industry First Legal Action <u>Interference with a Competitor's Transactions</u>	Operations of Transporting Patients with COVID-19 <u>Bid-Rigging (in Public Procurement)</u>	Transaction between a manufacture of office furniture and logistics operators <u>Abuse of Superior Bargaining Position (Violation of the Logistics Special Designations)</u>	Medical Devices (An automated endoscope reprocessor and disinfectant) <u>Tie-in Sales</u>	School Lunch Service for Junior High Schools <u>Bid-Rigging (in Public Procurement)</u>
Suspected Restrictions on Sellers' Business Activities on "Amazon.co.jp" Review Started	Mechanical Parking Systems <u>Bid Rigging (in Private Demand)</u>	Purple: Cease and Desist Order and Surcharge Payment Order Orange: Approval of the Commitment Plan Green: Warning Blue: Investigation Started	Multifunctional Chair <u>Resale Price Maintenance</u>	Unjust Restrictions Imposed by Nippon Professional Baseball on Its Member Teams <u>Unjustly Restricting the Functions or Activities of the Constituent Enterprise</u>

Alleged conduct	Cases	Summary
Bid-Rigging (in Public Procurement)	Participants in Biddings for School Lunch Service for Junior High Schools Ordered by Nagoya City (May 2024)	The participants had conspired to decide prospective winners and allowed those winners to win for school lunch service for junior high schools ordered by Nagoya City. (Amount of Surcharge: 392.96 million JPY)
Bid-Rigging (in Public Procurement)	Participants in Biddings for the Operations of Transporting Patients with COVID-19 Ordered by Aomori City (May 2024)	The participants had conspired to decide prospective winners and allowed those winners to win for the operations of transporting patients with COVID-19 ordered by Aomori City.
Price-Fixing Cartel	Manufacturers of Valves for Liquefied Petroleum Gas Cylinders (June 2024)	The manufacturers had jointly agreed to raise the sales price of specified LP gas valves, to gas cylinders manufacturers etc. (Amount of Surcharge: 709.64 million JPY)
Price-Fixing Cartel, Bid-Rigging (in Public Procurement)	Non-life Insurance Companies (Nine cases) (October 2024)	Major non-life insurance companies exchanged and coordinated information regarding insurance premiums and other conditions presented by each company during competitive quotes and bidding processes, in collaboration with other insurers. There were also cases in which non-life insurance representatives cooperated in the exchange of information among the non-life insurance companies. (Amount of Surcharge: 2071.64 million JPY)

Alleged conduct	Cases	Summary
Bid-Rigging (in Public Procurement)	Participants in Biddings for Classical Swine Fever Vaccine Ordered by Yamagata Prefecture and Livestock Vaccines Ordered by Yamagata Livestock Industry Association. (March 2025)	The participants had conspired to decide prospective winners and allowed those winners to win for classical swine fever vaccine ordered by Yamagata Prefecture and livestock vaccines ordered by Yamagata Livestock Industry Association. (Amount of Surcharge: 5.67 million JPY)
Bid-Rigging (in Private Demand)	Manufacturers of Mechanical Parking Systems (March 2025)	The manufacturers of mechanical parking systems had conspired to decide prospective suppliers for specific underground-type or elevator-type mechanical parking system installation projects, and ensured that those designated suppliers could carry out the work. (Amount of Surcharge: 526.13 million JPY)

Alleged conduct	Cases	Summary
Trading on Restrictive Terms	Saga Prefecture Fishery Cooperative Federation (May 2024)	The Saga Prefecture Fishery Cooperative Federation (Cooperative) has required its producers of dried seaweed (cooperative members) to: (1) refrain from shipping dried seaweed outside the cooperative’s distribution channels, and (2) refrain from selling outside the system any dried seaweed that remained unsold in the cooperative’s auction.
Trading on Restrictive Terms	Kumamoto Prefectural Federation of Fisheries Cooperative (May 2024)	The Kumamoto Prefectural Federation of Fisheries Cooperative has required its producers of dried seaweed (cooperative members) to: (1) refrain from shipping dried seaweed outside the cooperative’s distribution channels, and (2) refrain from selling outside the system any dried seaweed that remained unsold in the cooperative’s auction.
Tie-in Sales	ASP Japan G.K. (July 2024)	ASP Japan installed a barcode reader on its automated endoscope reprocessor using phtharal for medical institutions. The company also affixed a 2D code to the bottles of the phtharal it manufactures and sells. The cleaning and disinfecting functions of the reprocessor do not operate unless the 2D code is read by the barcode reader. As a result, medical institutions using the company’s reprocessor are effectively forced to purchase the company’s phtharal along with the reprocessor, which constitutes an unfair practice.
Resale Price Maintenance	Seki Furniture Co., Ltd. (December 2024)	Seki Furniture compelled its retailers to sell chairs marked with the Ergohuman trademark at a retail price specified by Seki Furniture referred to as the reference price.

Alleged conduct	Case	Summary
Interference with a Competitor's Transactions	MC Data Plus, Inc. (December 2024)	MC Data Plus refuses, without reasonable justification, to provide employee information registered by users of its labor safety service, GREEN-site (a cloud service for the construction industry), in a format that enables users to switch to alternative services. The company cites reasons such as the protection of personal information. These actions effectively discourage users from switching to competing services.

Alleged conduct	Cases	Summary
Private Monopolization, Other Refusal to Trade, Interference with a Competitor’s Transactions	Google LLC (April 2024)	Google LLC made it difficult for Yahoo Japan Corporation to engage in Mobile Syndication Transactions (Note) by amending the existing contract between the two companies and, under the amended contract, restricting the provision of search engine and search advertising technologies necessary for such transactions. Note: Transactions in which a business entity distributes search advertising to the advertising spaces provided from, and shares a portion of the revenue generated by the search advertising with, Website Operators, etc.
Abuse of Superior Bargaining Position (Logistics Special Designations)	Hashimoto Sogyo Co., Ltd. (December 2024)	Hashimoto Sogyo has engaged in the following conduct toward logistics operators: (i) despite no fault attributable to the logistics operators, it has deducted an amount labeled as a “payment rebate,” calculated by applying a fixed rate to the predetermined payment amount; (ii) it has entrusted long-hour transportation services at freight charges that are significantly lower than the amounts normally paid for similar transportation services; and (iii) it has required logistics operators to perform tasks such as loading and unloading—although these were not included in the scope of the entrusted services—without any prior agreement on the terms of such transactions and without providing any compensation.
Tie-in Sales	Sysmex Corporation (February 2025)	Sysmex maintained a fundamental policy requiring the use of its designated reagents for measuring “D-dimer” or “FDP” with specific blood coagulation analyzers, even though reagents from other manufacturers could be used. In line with this policy, when supplying these analyzers to hospitals and other medical institutions, Sysmex conditioned its supply on the exclusive use of its designated reagents, effectively compelling them to purchase these reagents alongside the analyzers.

● Cases Involving Digital Platform Operators

Approval of the Commitment Plan submitted by Google LLC

Google LLC made it difficult for Yahoo Japan Corporation to engage in Mobile Syndication Transactions by restricting the provision of search engine and search advertising technologies necessary for such transactions, based on an amended contract between the two companies.



Google LLC submitted a commitment plan to address the above competition concerns, which was approved by the Japan Fair Trade Commission.

Launch of Investigation into Suspected Violation of the Antimonopoly Act by Amazon Japan G.K. and Others (November 2024)

Amazon Japan G.K. operates a display space on its e-commerce platform, “Amazon.co.jp,” for listing products eligible for the “Recommended Listings” feature. There are suspicions that the company restricts the business activities of sellers on the platform related to listing products to this space by requiring sellers to set the sales prices of their products as “competitive prices.”

● Case Concerning a Cloud Service Provider

Cease and Desist Order against MC Data Plus, Inc.

MC Data Plus, Inc., which provides cloud services for the construction industry (labor safety service), unreasonably refuses to provide users with their own registered employee information when they consider switching to another labor safety service.



Cease and Desist Order (Interference with a Competitor's Transactions)

Enforcement

- Saga Prefecture Fishery Cooperative Federation

The Saga Prefecture Fishery Cooperative Federation (Cooperative) restricts its member seaweed producers from shipping dried seaweed outside the cooperative's distribution channels.

→Cease and Desist Order (Trading on Restrictive Terms)

- Kumamoto Prefectural Federation of Fisheries Cooperative

The Kumamoto Prefectural Federation of Fisheries Cooperative restricts its member seaweed producers from shipping dried seaweed outside the cooperative's distribution channels.

→Cease and Desist Order (Trading on Restrictive Terms)

- Non-life Insurance Companies (Nine cases)

Price-fixing cartel and other anticompetitive conduct by major non-life insurance companies

→Cease and Desist Orders (unreasonable restraint of trade) and Surcharge Payment Orders

Advocacy

- ◆ Request to the Fisheries Agency

A request was made to the Fisheries Agency to once again ensure that fishery cooperatives across Japan are fully informed of and comply with the Antimonopoly Act and the "Guidelines for the Promotion of Proper Transactions of Marine Products and Processed Marine Products" issued by the Agency.

- ◆ Compilation of the Points to be Noted Under the Antimonopoly Act Regarding Coinsurance

The JFTC compiled and published the points to be noted under the Act regarding the origination and use of coinsurance for non-life insurance companies, non-life insurance representatives and policyholders. This was done to prevent violations of the Act, as many of the violations occurred during the process of originating coinsurance.

- ◆ Request to the Financial Services Agency and the General Insurance Association of Japan

The JFTC requested the Financial Services Agency and the General Insurance Association of Japan to ensure that compliance with the Act is communicated to all non-life insurance companies and non-life insurance representatives, as well as members of the Association.

Abuse of a Superior Bargaining Position (1/3)

In FY2024, a legal measure was taken against the shipper (Hashimoto Sogyo) for its conduct against logistics operators.

The Task Force on Abuse of Superior Bargaining Position took the lead in issuing warnings in the following three cases: (1) Conduct by a shipper (Itoki Corporation) against logistics operators; (2) Conduct by a major regional retailer (Daizen Co., Ltd.) against its suppliers; and (3) Conduct by a major commercial facility operator (Atre Co., Ltd.) against tenant businesses.

In addition, the following cautions were also issued:

- Requests from large-scale retailers to suppliers
- Requests from shippers to logistics operators
- Cases related to price pass-through due to the recent sharp rise in labor costs, raw material prices, and energy costs

A total of 41 cautions were issued concerning these matters.

(Unit: Cases)

FY	2020	2021	2022	2023	2024
Number of Cautions	47	46	55	67	41

Abuse of a Superior Bargaining Position (2/3)

● Major Cases Where the Task Force on Abuse of a Superior Bargaining Position Issued Cautions

Requests from a Large-Scale Retailer to Suppliers

A large-scale retailer (a drugstore chain) requested that its suppliers dispatch employees to assist with product shelving—including that of competitors' products—during new store openings and renovations. However, the retailer neither reached prior agreement with the suppliers regarding the nature of the dispatched employees' tasks, nor did it pay for the costs normally required for such dispatch, such as daily wages and transportation expenses.

Requests from an Agricultural Product Distributor to Transport Operators

An agricultural product distributor did not make arrangements with its logistics operators regarding compensation for waiting time at loading, despite such delays occurring. As a result, no waiting fees were paid.

Requests from a Real Estate Lessor to Building Management Operators

A real estate lessor that had outsourced building management services for its commercial facilities was suspected of unilaterally setting the terms of the transaction. For example, the lessor refused to raise the contracted service fee even after the building management operators requested an increase to reflect rising costs.

Abuse of a Superior Bargaining Position (3/3)

Cases of Cautions Issued for Practices Hindering Appropriate Price Pass-Through

In some cases, ordering parties were suspected of unilaterally setting the terms of transactions. These situations occurred when the ordering parties responded to requests from small and medium-sized enterprises for price increases due to rising labor, raw material, and energy costs by accepting increases for only certain items, refusing to negotiate, or maintaining existing prices without adjustment.

In response, the JFTC issued cautions to ordering parties in order to prevent potential violations of the Antimonopoly Act (A total of 25 cautions were issued between April 2024 and March 2025).

【 Main Industries of Businesses That Received Cautions 】

ROAD FREIGHT TRANSPORT

WAREHOUSING

RETAIL TRADE (FOOD AND BEVERAGE)

REAL ESTATE LESSORS AND MANAGERS

RETAIL TRADE, GENERAL MERCHANDISE

OTHER WHOLESALE TRADE

COOPERATIVE ASSOCIATIONS

MANUFACTURE OF PRODUCTION MACHINERY

GOODS RENTAL AND LEASING

NONSTORE RETAILERS

MANUFACTURE OF FURNITURE AND FIXTURES

WHOLESALE TRADE (BUILDING MATERIALS, MINERALS AND METALS, ETC.)

RETAIL TRADE (MACHINERY AND EQUIPMENT)

WHOLESALE TRADE (FOOD AND BEVERAGES)

MANUFACTURE OF FOOD

Unjust Law Price Sales

- JFTC aims to complete its investigations within two months in principle if it receives complaints regarding cases in retail sectors such as liquors, petroleum products, and home appliances, etc.
- JFTC issues cautions against conduct which could lead to unjust low price sales. (Unit: Cases)

FY	2020	2021	2022	2023	2024
Liquors	9	29	37	29	18
Petroleum products	115	206	151	233	186
Home appliances	0	1	0	0	1
Others	12	8	4	55	48
Total	136	244	192	317	253

- The JFTC Issued Warnings and Cautions to Petroleum Product Retailers Operating Gas Stations in Okinawa City and Kitanakagusuku Village, Nakagami District, Okinawa Prefecture (Published November 2024)
 - ✓ Nagayama Petroleum Co., Ltd. and EKKA Co., Ltd. supplied regular gasoline at prices significantly below the cost required for supply during the fixed period between February 1 and June 30, 2024. Those conducts were likely to cause difficulties for the business activities of other petroleum product retailers in the surrounding areas of their gas stations.
- Strengthening enforcement efforts against businesses that have repeatedly received cautions (such as follow-up investigations)