

Romanian competition watchdog warns against COVID-19 profiteering

The Romanian Competition Council (RCC) has just set down guidelines on business practices for companies during the COVID-19 pandemic.

While the competition watchdog acknowledges that companies should take certain protective measures to prevent the spread of the coronavirus (e.g. reduce operating schedule, preventing an abusive increase in price for on-line sales), these measures must not restrict effective competition.

The RCC warns that the current crisis must not be used as an excuse for anti-competitive behaviour including:

- increasing prices without an objective justification;
- exchanging sensitive information (prices, commercial policy, etc.);
- excluding competitors from the market;
- abusing a dominant market position; and
- concluding anti-competitive agreements with competitors to eliminate the sale of a particular product or service, fix prices or allocate customers or territories between competitors.

Given the increases in demand triggered by COVID-19 for hospital and industrial supplies, the RCC is already investigating certain businesses for fixing exorbitant prices for protective medical and labour equipment.

Like other businesses and offices, the RCC is not able to interact with the general public and participate in the exchange of physical documents until 16 April 2020. To protect citizens' rights, however, the RCC will continue to receive notices regarding potential violations of competition law via the post, e-mail or through the following platforms:

- Notices and petitions: <https://portal.consiliulconcurentei.ro/solicitari/login>
- Competition whistle-blowing: <https://report.whistleb.com/ro/consiliulconcurentei>

*For further information on the RCC's activities and guidelines, contact your regular CMS advisor or one of our local CMS experts: **Horea Popescu, Cristina Popescu, Claudia Nagy and Bogdan Buta.***