

## **The GVH suspects cartel activity on the market of contact lenses**

**On 7 December 2010 the Hungarian Competition Authority (Gazdasági Versenyhivatal - GVH) held unannounced inspections at the premises of contact lens distributors as follows: CooperVision Optikai Cikkek Forgalmazó Korlátolt Felelősségű Társaság, FOTEX-OFOTÉRT Optikai és Fotóciikk Kereskedelmi Korlátolt Felelősségű Társaság, Johnson & Johnson Egészségügyi és Babaápolási Termékeket Gyártó és Forgalmazó Kft., Kleffmann & Partner Piackutató, Szolgáltató Korlátolt Felelősségű Társaság and Novartis Hungária Egészségügyi Korlátolt Felelősségű Társaság CIBA Vision Üzletág.**

On the basis of the data and information available for the GVH it is presumed that market leading companies and their branches active on the distribution of contact lenses and accessories in Hungary have operated an information system via Kleffmann, a German firm active in market research in Hungary since 2003.

The information system might be suitable to share business data, which could influence the business decisions of the other undertakings. This helps the coordination of the participating distributors' market behaviours, leading to restriction of competition. Business data were generally exchanged quarterly.

Kleffman, as market researcher was neither an actor nor a competitor of the domestic distributors of contact lens and accessories, however it assisted to organise and have the cartel operated by providing background services (infrastructure).

The GVH suspects that the undertakings under investigation presumably violated the provisions of the Hungarian Competition Act, which prohibit anticompetitive agreements.

The Competition Act allows the GVH to conduct on-the-spot inspections without any preliminary notification. Pursuant to the provisions of the Competition Act, the inspections are subject to the attainment of a judicial authorisation in advance.

The initiation of the competition supervision proceeding does not mean that the undertakings in question have actually committed the infringement. The proceeding targets the clarification of the facts and thus to prove that the infringement assumed has been committed. According to the Act such proceedings must be closed within 6 months, however this time limit can be extended two times by further 6 months each, depending on the complexity of the case.

Case Number: **Vj-96/2010.**

Budapest, 8 December 2010

**Further information to the press:**

József SÁRAI (Mr)

Competition Authority

Address: 1054 Budapest, V. ker. Alkotmány u.5.

Postal address: 1245 Budapest, 5. POB 1036

Tel: +36-30 618-6618

Email: [press@gvh.hu](mailto:press@gvh.hu)

<http://www.gvh.hu>