



HELLENIC REPUBLIC  
HELLENIC COMPETITION COMMISSION

Athens, 31 March 2008

### PRESS RELEASE

#### **Competition Commission's Decision regarding the wholesale trade of frozen vegetables for domestic use.**

In its decision issued on 20 March 2008 the Competition Commission held that "GENIKI TROFIMON S.A.", active in the abovementioned market during the period of 2002 to 2006, was fixing the retail prices of the contract goods and was restricting passive sales by its trading partners - wholesalers. Moreover, although dominant in the aforementioned market, "GENIKI TROFIMON S.A." imposed on its wholesalers a non-compete clause.

It is noted that, according to the case law of the European Court of Justice, the non-implementation of an agreement imposing price restraints or the "negligence" of the undertakings involved does not preclude the imposition of fines.

In view of the above, also taking into consideration attenuating circumstances, which advocate for leniency, such as the fact that the undertaking involved amended the clauses in question immediately following the objections of the Directorate General for Competition, the majority of the Competition Commission's members imposed a fine of four hundred sixty eight thousand eight hundred seventy Euros (€468,870) on VIVARTIA (the successor company of "GENIKI TROFIMON S.A") for infringing articles 1 and 2 of law 703/77.