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The Hungarian Competition Authority (HCA) initiated investigation for alleged RPM against Maspex Olympos Kft.

The allegation

On February 28, 2023 the HCA has launched an investigation – starting with a dawn raid – against one of the largest domestic soft drink suppliers, Maspex Olympos Kft., for allegedly imposing minimum resale prices for its products. According to the allegation, the company may also have infringed EU competition rules.

Maspex Olympos is the Hungarian subsidiary of the Polish Maspex-group, and sells among others the Olympos, Kubu, Apenta, Topjoy and Nestea brands.

The investigation

The HCA opened the investigation based on their findings of a recently closed sectorial investigation regarding the legality and effects of discount schemes, used in the beverage distribution sector, including a review of a number of beverage supply contracts.

During the sectorial investigation the HCA found information suggesting that one of the major competitors may have imposed minimum resale prices for its products in its contracts with its partners, thereby restricting price competition on the market.

According to the HCA, the suspected restriction may have not only infringed national law, but also the EU competition rules, given the market position of the company and the effect the alleged restricting practices may have on trade between Member States.

The stance of the HCA

The HCA has most recently ruled against the Hungarian distributors of Yamaha musical instruments and Casio products in similar cases.

Naturally, the initiation of the investigation does not mean that the undertaking has indeed infringed competition law. The HCA has now six months to finish the investigation, which may be extended twice in justified cases,

each time for a maximum of six additional months.