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Cartels in the EU: A Comprehensive Guide\*\*

### **What is a Cartel in the European Commission?**

A cartel is an agreement between competing businesses to fix prices, restrict output, or divide markets. The European Commission defines a cartel as "a group of undertakings whose members coordinate their competitive behaviour on the market in order to influence the market for a product or service."

### **What is the EU Competition Policy Antitrust?**

The European Union's competition policy, known as antitrust, aims to promote fair competition and prevent the formation of cartels and other anti-competitive practices. Article 82 of the Treaty on the Functioning of the European Union (TFEU) prohibits cartels and other agreements that restrict competition.

### **What Counts as a Cartel?**

Not all agreements between businesses are considered cartels. To qualify as a cartel, the agreement must:

- Involve competing businesses
- Restrict competition or fix prices
- Affect trade between EU Member States
- Be concerted and binding on the parties involved

### **Are Cartels Illegal?**

Yes, cartels are illegal in the European Union. They violate Article 82 of the TFEU and can result in significant fines and other penalties.

### **What is the Penalty for a Cartel?**

The European Commission has the power to impose heavy fines on businesses that participate in cartels. The maximum fine is 10% of the total turnover of the companies involved.

### **Who are the Biggest Cartels in Europe?**

Some of the most notable cartels in Europe include:

- The European Truck Cartel (2011-2016)
- The Milk Cartel (early 2000s)
- The Banking Cartel (1998-2013)

### **What is the Largest Fine for the EU Cartel?**

In 2021, the European Commission imposed a €2.9 billion fine on Qualcomm for abusing its dominant position in the mobile chipset market. This is the largest fine ever imposed for an EU cartel.

### **What is Antitrust and Cartels?**

Antitrust laws, also known as competition laws, aim to prevent the formation of cartels and other anti-competitive practices. Antitrust authorities investigate and prosecute businesses that violate these laws.

### **How Many Cartels Are There?**

The exact number of cartels in existence is unknown. However, the European Commission estimates that there are around 100 active cartels in the EU at any given time.

### **What are the Two Types of Cartels?**

There are two main types of cartels:

- **Horizontal Cartels:** Agreements between competitors in the same market
- **Vertical Cartels:** Agreements between businesses at different levels of the supply chain

## **How Do Cartels Work?**

Cartels operate by coordinating their activities to restrict competition. Some common methods include:

- Setting prices or output levels
- Dividing markets into exclusive territories
- Boycotting or refusing to deal with competitors
- Exchanging confidential information

## **Do Cartels Operate in Europe?**

Yes, cartels do operate in Europe. The European Commission has identified and prosecuted numerous cartels in various industries, including construction, pharmaceuticals, and transportation.

## **What is a Cartel Competition Law?**

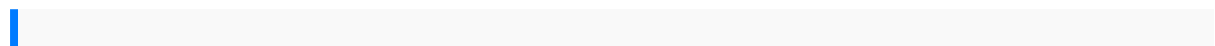
Cartel competition law is a body of laws that prohibits cartels and other anti-competitive practices. These laws are enforced by antitrust authorities, such as the European Commission and the US Department of Justice.

## **What is the Largest Crime Cartel in the World?**

The largest crime cartel in the world is thought to be the Sinaloa Cartel, which operates out of Mexico.

## **What is the Biggest Corruption Scandal in the EU?**

The biggest corruption scandal in the EU is the EU Emissions Trading System (ETS) fraud, which involved the theft of billions of euros in carbon credits.



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