

## Romanian competition watchdog issues new guidance on cooperation during the crisis

**In a further attempt to mitigate the effects of the COVID-19 outbreak, Romanian Competition Council (RCC) issued a press release providing further guidance on business practices for companies during the COVID-19 pandemic (see here for our reporting on the first guidance). The new guidance recognises coordination between companies (e.g. retailers) could be needed to ensure effective supply systems, and recommends measures to ensure competitive pricing for online shopping.**

The new guidelines were issued after a Joint statement by the European Competition Network (ECN) on the application of competition law during the crisis.

The competition watchdog notes that in the current crisis rival companies can act in a coordinated manner to avoid shortages of essential products and ensure their balanced distribution. For example, retailers can coordinate freight (to ensure supplies of basic products in all areas) and home deliveries (for individuals unable to leave home).

Companies, however, must ensure that their products are available at competitive prices. To this end, managers of online platforms can impose measures to limit abusive price increases for basic products and services. The RCC reminds companies that the applicable competition law allows producers to set maximum prices for their products, which could prove useful in limiting an unjustified increase in price at the distribution level.

The RCC emphasises it is closely monitoring the behaviour of companies and warns that it will not hesitate to act if market players engage in abusive practices (e.g. excessive pricing) or cartel-type activities.

If companies are uncertain whether their initiatives are consistent with current competition legislation, they are encouraged to contact the competition authority at: [presedinte@consiliulconcurentei.ro](mailto:presedinte@consiliulconcurentei.ro)

*For more information on this guidance and competitive practices in Romania during the current crisis, contact your regular CMS advisor or one of our local CMS experts: **Horea Popescu, Cristina Popescu, Claudia Nagy and Bogdan Buta.***