

PRESS RELEASE

The CNMC initiates disciplinary proceedings against Apple and Amazon for possible restrictive competition practices

- Both groups could have agreed to trade restrictions on the Amazon website in Spain.
- They would affect the retail sale of Apple products by third parties and the advertising of competing Apple products.
- The behaviours could reduce competition in the Internet retail market for electronic products.
- In addition, they could strengthen Amazon's position in the sector of providing marketing services to third-party retailers through online platforms (*Marketplace*) in Spain.

Madrid, 1st July 2021.- The CNMC has initiated a disciplinary proceedings against the companies: Amazon Services Europe S.À.RL; Amazon Europe Core S.À.RL; Amazon EU S.À.RL; and Amazon Online Spain, SL (jointly referred to as "Amazon"); and against Apple Distribution International Ltd .; Apple Retail Spain, SL; and Apple Marketing Iberia, SA (jointly referred to as "Apple"), for possible anti-competition practices in the sectors of Internet sales of electronic products and the provision of marketing services to third-party retailers through online platforms (*Marketplace*) in Spain.

The CNMC has had access to certain information from which it can be concluded the existence of rational indications of the committing, by Amazon and Apple, of a breach of articles 1 of 2> [Law 15/2007, of July 3, on the Defence of Competition \(LDC\)](#) and 101 of the [Treaty on the Functioning of the European Union \(TFEU\)](#).

Specifically, the possible unlawful conduct would consist of an agreement between both groups that would include possible restrictions on the Amazon website in Spain (<https://www.amazon.es/>) regarding:

- (i) The retail sale of APPLE products by third parties;
- (ii) Certain advertising of competing Apple products and certain campaigns directed at Apple customers by Amazon;
- (iii) Other commercial restrictions.

The investigated behaviours could be restricting competition in the sectors of the Internet sale of electronic products, and the provision of marketing services to third-party retailers through online platforms (*Marketplace*) in Spain.

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The initiation of this file does not prejudice the final result of the investigation. A maximum period of 18 months is now open for the investigation of the file and for its resolution by the CNMC.

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