

## **The CNMC fines the Royal Canine Society of Spain for hindering the activity of rival associations and discriminating against canine judges**

- The Royal Canine Society of Spain (RSCE in Spanish) has abused its dominant position to hinder the entry of other organisations, which are authorised by law, to participate in several markets.
- The abuse has resulted both in the establishment of restrictions imposed on the owners of dogs from other associations to access the international market and in the restrictions imposed on their judges to participate in other organisations' shows.

**Madrid. May 26, 2022.-** The CNMC has fined the Royal Canine Society of Spain (RSCE in Spanish) 142,996 euros for abuse of a dominant position, which is prohibited by Article 2 of the Spanish Competition Law and Article 102 of the Treaty on the Functioning of the European Union. ([S/0044/19 REAL SOCIEDAD CANINA DE ESPAÑA](#)).

### **Start of the investigation**

In October 2020, the CNMC began an investigation into the actions of the RSCE for potential anti-competitive practices after receiving a complaint from the Real Club Español de Perro Alemán Pastor, which was joined by other associations: the Kennel Club of Spain, the Asociación Nacional de Criadores Caninos y Multiformación, and the Royal Spanish Hunting Federation ([press release](#)).

### **National and international certificates**

In Spain, for a dog to be considered purebred, it must have a pedigree certificate. This certificate can be issued by any officially recognised canine association, after registering the animal in its genealogical registry, given that the Spanish pedigree certification market was liberalised in 2001 by the [Royal Decree 558/2001](#).

However, in fact, only the RSCE is authorised to issue internationally recognised export certificates. This certificate (“*export pedigree*”) is essential to be able to export dogs that can be registered as purebred dogs in the country of destination, given that, despite the liberalisation mentioned, the RSCE is the only association whose certificates are internationally recognised by the *Fédération Cynologique Internationale* (FCI).

## Restrictions on judges

Both the members of the FCI and the RSCE qualify judges to participate in competitions and exhibitions that allow dogs to access categories that give them greater value. The results of these activities can increase the value of dogs when they get prizes that are registered in their record. This, in turn, is reflected in the purchase prices of purebred dogs in Spain and abroad.

The restrictions imposed by the RSCE on its judges to prevent them from participating in exhibitions of competing associations have a potential impact on the entry of these competitors into the market, which has been considered part of the abuse.

## Sanctioned behaviour

The CNMC established that the RSCE has infringed the competition regulations by engaging in the following behaviour:

- **Imposing on owners of purebred dogs registered in other associations their removal from the records of other competing associations and their registration in the RSCE's register, with the payment of the corresponding fees**, in order to have an export certificate issued by the RSCE.
- **Discrimination in fees and erasure of the history and track record of dogs** registered in their records that came from other associations, as opposed to those dogs originally registered in the RSCE's records. Removing the ancestral data of dogs that change register from the RSCE's book (which has a significant impact on their valuation). Furthermore, different prices are charged for the registration of dogs, depending on whether they are registered for the first time or they come from other competing canine associations, without there being any justification for this.
- **Discrimination** in the form of persecution, prohibition and sanctioning of **canine judges trained and licensed by the RSCE** (and judges trained and licensed by other foreign canine associations that are members of the FCI) **when they have tried to or have refereed in events organised by other competing national canine organisations.**
- **Creating and using an organisational structure** of collaborating members and clubs, by signing **exclusivity and non-competition**

**agreements** to strengthen the RSCE's dominant position in the national and international genealogical certification markets against other competing national canine associations.

### **Harm to rival associations**

These behaviours have slowed down the expansion of national canine organisations with their own pedigree books and have reduced their revenues, by reducing the demand for pedigree certificates requested from competing associations and increasing the revenues of the RSCE.

In addition, the RSCE has hindered dog shows, competitions and events organised by competing canine associations and has reduced the number of canine judges available on the market.

In view of the above, the CNMC has decided to impose a fine of 142,996 euros on the RSCE for committing a very serious single and continuous infringement of Article 62.4. b) of the [Spanish Competition Law](#).