

The CNMC declares that Apple and Amazon have failed to comply with the cease and desist order set out in the 2023 injunction

- The CNMC sanctioned both companies for including anti-competitive clauses in the contracts regulating Amazon's conditions as an Apple reseller.
- The Decision obliged the companies to cease the sanctioned conduct, but they did not take action until May 2025.
- The Council of the Commission requests the Competition Directorate to open a new infringement proceeding.

Madrid, 25 February 2026 The CNMC has declared that Apple and Amazon have failed to comply with the cease and desist order it imposed on them in its 2023 [sanctioning decision \(VS/0013/21\)](#).

In July 2023, the CNMC fined Apple and Amazon €194 million for including anti-competitive clauses in the contracts governing Amazon's conditions as an Apple reseller ([press release](#)).

The clauses had the following effects on the market:

- They unjustifiably restricted the number of resellers of Apple products on Amazon's website in Spain.
- They limited the advertising space where competing Apple products could be advertised on Amazon's website in Spain.
- They prevented Amazon from targeting Apple product customers on its website in Spain with marketing campaigns offering them competing products from other brands.

Furthermore, the CNMC urged Apple and Amazon to take the necessary measures to cease their anti-competitive practices in its 2023 decision.

The clauses restricting the number of resellers of Apple products on Amazon and limiting Amazon's advertising space for Apple's competitors were removed in May 2025.

Non-compliance

On 1 October 2025, the CNMC Council declared that Amazon and Apple were in breach of the July 2023 decision, as they did not cease the sanctioned conduct until May 2025, once they received the Competition Directorate's proposal for non-compliance ([VS/0013/21](#)).

The Council also urged the Competition Directorate to initiate infringement proceedings on the grounds that there were indications of an infringement as a result of non-compliance, without prejudging the final outcome of the proceedings.

The CNMC's decision has been appealed before the Spanish National Court and is pending judgement.

Related content:

- [VS/0013/21](#)- Amazon/ Apple Brandgating
- [S/0013/21](#)- Amazon / Apple Brandgating
- [Press release \(18/07/2023\)](#): The CNMC fines Apple and Amazon €194 million for restricting competition on Amazon's website in Spain