

PRESS RELEASE

The CNMC initiates disciplinary proceedings against seven companies engaged in the marketing of metallurgical coke, petroleum coke, coal, anthracite, foaming agents and recarburisers.

- The companies are Toro y Betolaza, Félix de Inchaurrega, García Munté Energía, Grafitos Barco, Candel Energía, Cementos Tudela Veguín and Capex CGC.
- The alleged infringements are believed to consist of market share agreements, price-fixing agreements and agreements for exchanging commercially sensitive information on the market.

Madrid, 12 March 2019.- The CNMC (Spain's National Authority for Markets and Competition) has opened disciplinary proceedings against seven companies in the solid fuel sector. These are Toro y Betolaza SA, Félix de Inchaurrega SL, García Munté Energía SL, Grafitos Barco SA, Candel Energía SL, Cementos Tudela Veguín SA and Capex CGC SL.

These companies are thought to have entered into market share agreements, price-fixing agreements and agreements for exchanging commercially sensitive information on the market. Such actions constitute infringements under Article 1 of Law 16/1989, of 17 July, on Competition Defence (LDC), Article 1 of Law 15/2007, of 3 July, on Competition Defence, as well as Article 101 of the Treaty on the Functioning of the European Union (TFEU).

The conduct is alleged to have occurred in the market for the sale of metallurgical coke, petroleum coke, coal, anthracite, foaming agents and recarburisers in Spain from at least 1999 until at least 2018. Such products are different types of solid fuels used in different economic activities, generally as an energy source or as an input for the production of other goods. These events took place between at least 1999 and at least 2018.

Since last October, the CNMC has been carrying out inspections at the headquarters of different companies in view of the suspicion of the existence of possible anti-competitive practices, prohibited by the aforementioned Law on Competition Defence ([press release](#)). These sanctioning proceedings have been instituted on the basis of the information gathered.

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The commencement of these proceedings does not prejudice the final conclusion of the investigation. The case must now be investigated and decided by the CNMC within a maximum of 18 months.

The fight against cartels is a priority for the CNMC, given the particular seriousness of their consequences for consumers and the proper functioning of markets. To that end, its tools include the [Leniency Programme](#), which exempts the companies in a cartel from paying fines if they provide evidence enabling the CNMC to detect that cartel.

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