8 December 2011: Laundry detergents cartel

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The text of decision No 11-D-17 initially published on the Autorité de la concurrence's website included a material error regarding the amount of the financial penalty imposed on Procter & Gamble (see the first page of decision No 11-D-17 of 8 December 2011 relative to practices implemented in the laundry detergent sector).

The below press release was thus modified on 20 December 2011:
- the financial penalty on Procter & Gamble amounts to €240.24 million and not €233.56 million.
- the total amount of financial penalties is €367.9 million and not €361 million.

The *Autorité de la concurrence* fines a cartel between the four major laundry detergent manufacturers
a global amount of €367.9 million.

Unilever, who first disclosed the cartel, obtained full immunity from fines.

> Version française

The *Autorité de la concurrence* today issues a decision by which it fines a cartel between the four laundry detergent manufacturers active in France – **Unilever, Procter & Gamble, Henkel and Colgate Palmolive** – a total amount of €367.9 million. The companies coordinated their commercial strategies through a common determination of sale prices and promotions towards the French retail grocery sector (supermarkets and hypermarkets).

All product categories of the major laundry detergent brands which are available in France, like *Ariel, Skip, Le Chat, Dash, Omo, Super Croix, Gama, Persil and X Tra*, fell within the scope of the cartel agreement, which lasted between 1997 and 2004 – with an interruption between October 1998 and November 1999. All the product formats (powder, liquid and tablets) were included in the agreement.

Today's decision concerns the most important leniency case investigated until now by the *Autorité*. Moreover, it is the first time, in France, that a leniency case concerns a mass-market product[1]. It has also to be noted that all the parties involved in the cartel decided to cooperate with the *Autorité*, in the framework of the French leniency programme.

In 2008, Unilever disclosed the existence of the cartel to the *Autorité de la concurrence*

Following a legal audit which was conducted within his company in 2006, a Unilever employee disclosed to the legal department a document of 283 pages – that he was keeping at home –, which stated an anticompetitive agreement between the four detergent manufacturers (Procter & Gamble, Unilever, Henkel and Colgate-Palmolive), covering prices and promotions. In March 2008, Unilever – which had been inspected under an investigation on anticompetitive practices regarding other products – submitted a leniency application to the *Autorité de la concurrence*. The leniency procedure allows, under certain conditions, to grant full or partial exemption from fines – depending, in

For more details on this case, please refer to the full text of Decision 11-D-17 relative to practices implemented in the laundry detergent sector and to the press kit:
File N°1: The leniency procedure
File N°2: Mechanisms introduced by the Galland law
File N°3: Some figures on the laundry detergent sector
File N°4: Differences between the French case and the case recently investigated by the European Commission in the laundry detergent sectors

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> See decision of the Paris Court of Appeal (30th January 2014)