11 June 2013: Veterinary care

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The Autorité de la concurrence fines the Conseil Regional de l'*Ordre des Vétérinaires of Alsace*[1] and the Veterinary Surgeons' Union of Bas-Rhin for entering into an anticompetitive agreement

> *Version française*

Today, the Autorité de la concurrence issues a decision whereby it fines the *Conseil Regional de l'Ordre des Vétérinaires* (hereinafter CROV) of Alsace and the *Syndicat National des Vétérinaires d'Exercice Libéral*[2] – Bas-Rhin Section (hereinafter SNVEL 67) for having established a "charter" which defined the prices that signatory veterinary surgeons charged the Strasbourg SPA (*Société Protectrice des Animaux* – Animal Protection Society) and which organised the sharing out of their interventions with the latter.

The "charter" governing the relations between veterinary surgeons and the Strasbourg SPA dictated the prices to be charged and organised market sharing between the veterinary surgeons

The CROV of Alsace and SNVEL 67 "*fixed the price of care and services (…) to animals housed in this refuge by veterinary surgeons who had signed up to this charter*". The prices charged were therefore identical whichever veterinary surgeon carried out the work at the refuge. The fee structure also covered certain care provided after the animal's adoption (in particular spaying or neutering) via vouchers given by the SPA to adopters.

The veterinary surgeons who were signatories of the charter also "*took turns*" with the SPA according to a schedule drawn up before the start of each year. This rotation allowed member veterinary surgeons to share out the turnover

generated by these interventions equally and meant that no-one could corner the whole of the relevant market.

Practices that caused damage to the Strasbourg SPA for 17 years

This agreement particularly affected the Strasbourg SPA, which was deprived of the benefits of competition between 1991 and 2008, since almost all the veterinary surgeons in the city of Strasbourg had signed up to the charter.

The fines imposed

In setting the amount of the fines, the Autorité de la concurrence paid particular regard to the severity of the practices, their duration and the damage done to the economy. It also took into account the particular role played by the CROV of Alsace, which exceeded the bounds of its statutory tasks and prerogatives.

The CROV of Alsace, SNVEL 67 and the Regional Union of Self-employed Veterinary Surgeons of Haut-Rhin (SDVEL 68) are also fined for having sought to extend the agreement to all the SPAs of Alsace.

Consequently, the Autorité imposed the following fines:

Organisation	**Amount of the fine**
CROV of Alsace	€25,000
SNVEL 67	€5,000
SDVEL 68	€1,000

(1) Regional Council of the Order of Veterinary Surgeons
(2) National Union of Self-Employed Veterinary Surgeons

> Full text of Decision 13-D-14 du 11 juin 2013 on practices implemented within the framework of relations between veterinary surgeons and animal protection societies (SPA) in the Alsace region (in French)

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