Anticipating new dynamics

2025 Annual Report

Autorité de la concurrence

AUTORITÉ DE LA CONCURRENCE - 2025 ANNUAL REPORT

Autorité de la concurrence

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Foreword by Teresa Ribera

Executive Vice-President of the European Commission for a Clean, Just and Competitive Transition

Dear readers,

The 40th anniversary of French ordinance 86-1243 of 1 December 1986 on pricing freedom and competition is a milestone deserving of recognition. Beyond confirming France's commitment to a social market economy, in line with the objectives now enshrined in Article 3 of the Treaty on European Union, the Ordinance laid the foundations for the creation of the Autorité de la concurrence as we know it today.

The development of competition law and enforcement in France over the past four decades has gone hand in hand with the evolution of European competition policy, which has become one of the cornerstones of the European project. Together, the European institutions and Member States have built a common competition framework, founded on shared principles and rules and underpinned by close cooperation between the European Commission and national authorities, particularly within the European Competition Network (ECN).

Within the ECN, the Autorité de la concurrence plays a prominent role.

Since the ECN was established in 2004, the Autorité (together with its predecessor, the Conseil de la concurrence) has opened more than 350 investigations and issued nearly 200 decisions applying Articles 101 and 102 of the Treaty on the Functioning of the European Union.

Beyond the figures, the Autorité has consistently been at the forefront of developments in competition policy. Alongside its substantial contribution to the work of the ECN, the Autorité has often broken new ground, whether in tackling emerging forms of abuse such as disparagement, examining the implications of the expanding digital economy, or integrating sustainability considerations into the application of competition law.

The many initiatives highlighted in this report show that 2025 was no exception. A noteworthy example is the study on the competition issues surrounding the energy and environmental impact of artificial intelligence (AI). While the rise of AI offers significant opportunities, it also raises new competition challenges.

I would also like to commend the Autorité for its "open door" policy, which supports undertakings in their sustainability-focused cooperation initiatives through a framework that fosters dialogue and provides legal certainty.

The doors of DG Competition are also open. In 2025, the first guidance letters were adopted under the 2022 Informal Guidance Notice, including a letter on a sustainability agreement aimed at reducing CO_2 emissions in European ports.

As my colleagues in the Commission and I advance a new approach to competition policy, I know that we can rely on the Autorité, whose expertise and commitment will be instrumental in shaping a more sustainable, innovative and prosperous European economy.

+350 investigations

opened by France since the ECN was created in 2004

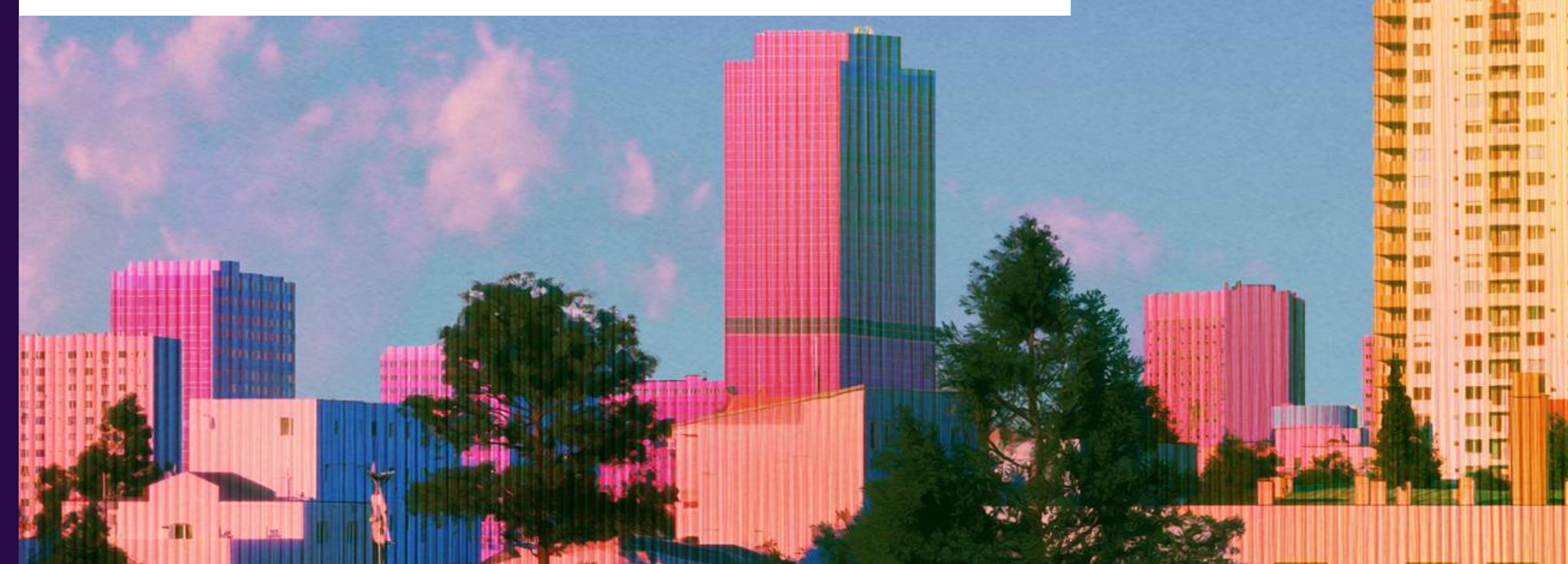
Editorial
by the President of the Autorité

Forty years ago, French ordinance 86-1243 of 1 December 1986 enshrined the principle of pricing freedom, abolishing the previous system of administrative price regulation and establishing the Conseil de la concurrence, which became the Autorité de la concurrence in 2010. Notably, the Ordinance granted the national competition authority the power to fine anticompetitive practices. The landmark reform introduced by the Ordinance profoundly reshaped the French economy, redefining the roles of public and private players in ensuring the effective functioning of competition. Over the past four decades, the Autorité's remit and powers have continued to evolve, in line with the framework established by the 1986 reform.

Today, the French and European economies are navigating a period of unprecedented change. The digital revolution is continuing apace, driven in particular by advances in artificial intelligence (AI), while the ecological transition has become a key priority. Geopolitical tensions are escalating, contributing to a new energy crisis that is eroding household purchasing power, already weakened by the war in Ukraine. The combination of rapid, far-reaching change and a turbulent international environment presents an exceptional set of circumstances.

> "Thanks to its remit, the Autorité has a unique vantage point and a duty to act.

Through its merger reviews, investigations into anticompetitive practices, and opinions and recommendations, the Autorité analyses how such changes are affecting markets in practice. Its work is based on a thorough understanding of economic realities and ongoing dialogue with stakeholders.



> I firmly believe that competition is essential to drive competitiveness and innovation, support purchasing power, and strengthen economic sovereignty.

The link between competition and economic performance is also a recurring theme in the Draghi Report. In every period of transformation, questions arise about the role of competition. Experience shows, however, that the most dynamic markets are those in which competition functions effectively. In such markets, businesses invest more, innovate more rapidly, differentiate themselves from competitors, and adopt new technologies more quickly. By contrast, in markets where positions are entrenched and protected by barriers to entry and expansion, innovation slows, efficiency gains diminish, and economic rents accrue to only a small number of players. The economy becomes locked into a Malthusian model, sustained by public subsidies. This is not the direction in which France should be heading.

The link between competition, innovation and competitiveness is particularly evident in the development of AI. Now present across all sectors of the economy, AI relies on access to a range of key inputs, namely data, computing power, cloud infrastructure, energy and talent. Concentration of those inputs in the hands of a small number of players may have a lasting impact on market structures. Competition policy therefore has a crucial role to play in maintaining open ecosystems, preventing technological dependence, and ensuring that the benefits of AI are shared across the economy as a whole, rather than being captured by a small number of large players. At the Autorité's initiative, such issues will be discussed by the competition authorities of the G7 countries in Paris, in December 2026.

Benoît Cœuré

President of the Autorité de la concurrence

The same principles apply to the energy transition. Achieving climate objectives requires the development of new technologies, the deployment of strategic infrastructure, and substantial investment.

> Competition is a key factor in fostering innovation, enhancing investment efficiency and accelerating the deployment of the most sustainable solutions.

More broadly, by limiting excessive dependence and promoting a diversity of market participants, competition policy helps to strengthen economic resilience in an increasingly unstable international environment.

The Autorité is fully engaged in analysing such issues. It addressed competition concerns in the digital sector at an early stage. Following its examination of cloud computing in 2023, it published an opinion in 2024 on the upstream segment of the generative AI value chain. In 2025, it deepened its analysis of the environmental impact of AI, with its findings discussed during a webinar held in April 2026. Work on the digital sector is continuing in 2026 through two further opinions, covering online video content creation and conversational agents, including "agentic" commerce.

Sustainability is giving rise to new competition concerns. Businesses and consumers are placing increasing importance on the environmental characteristics of products and services. In 2025, the Autorité issued an opinion on rating systems designed to provide consumers with sustainability-related information. It also supports undertakings in identifying the competition risks associated with their sustainability initiatives. Two informal guidance letters were issued in 2025, followed by a further two in 2026 to date, including on a deposit-return scheme for food packaging and on the promotion of more sustainable products, at the request of the French environmental and energy agency (ADEME). The time is now right for an initial assessment of the informal guidance mechanism, for which the Autorité launched a public consultation in June 2026. Lastly, in autumn 2026, the Autorité will organise a workshop on economics and sustainability, bringing together academics and practitioners.

Our enforcement work in 2025 also illustrates our capacity to adapt. Several decisions addressed novel forms of conduct, including a killer acquisition by a dominant undertaking and no-poach agreements between companies. In 2026, a further decision fined practices restricting the professional mobility of self-employed workers. Such examples demonstrate the ability of competition law to respond effectively to evolving anticompetitive business practices.

The Autorité also ensures compliance with commitments made as part of merger control proceedings. For example, it fined a retailer for failing to comply with commitments made in connection with the acquisition of a shopping centre in Martinique. The Autorité remains particularly attentive to competition issues in the French overseas territories, as reflected in its recent opinions and decisions concerning, notably, essential food products in Martinique, a public procurement contract in Wallis and Futuna, and imports in the cable sector in the overseas departments and regions.

Lastly, we are modernising our tools and procedures, particularly in the area of merger control. Concrete measures have significantly reduced the processing times for the most straightforward cases. The French Economic Simplification Act of 26 May 2026 substantially raised the merger control thresholds, simplifying procedures for undertakings by reducing the number of transactions that need to be notified. The logical counterpart would be the introduction of a call-in power enabling the Autorité, under strictly defined conditions, to review certain below-threshold transactions that raise competition concerns. The Autorité has also contributed to the revision of the European merger guidelines, with a view to better reflecting considerations such as innovation, sustainability and economic sovereignty, while encouraging undertakings to identify and substantiate, at an earlier stage, the efficiency gains expected from their planned transactions.

All the Autorité's teams, together with its Board, contribute to the institution's work and to the delivery of its priorities. Their commitment and professionalism are essential. The Autorité's achievements, ambitions and future projects are founded on their collective efforts. This annual report pays tribute to their dedication.

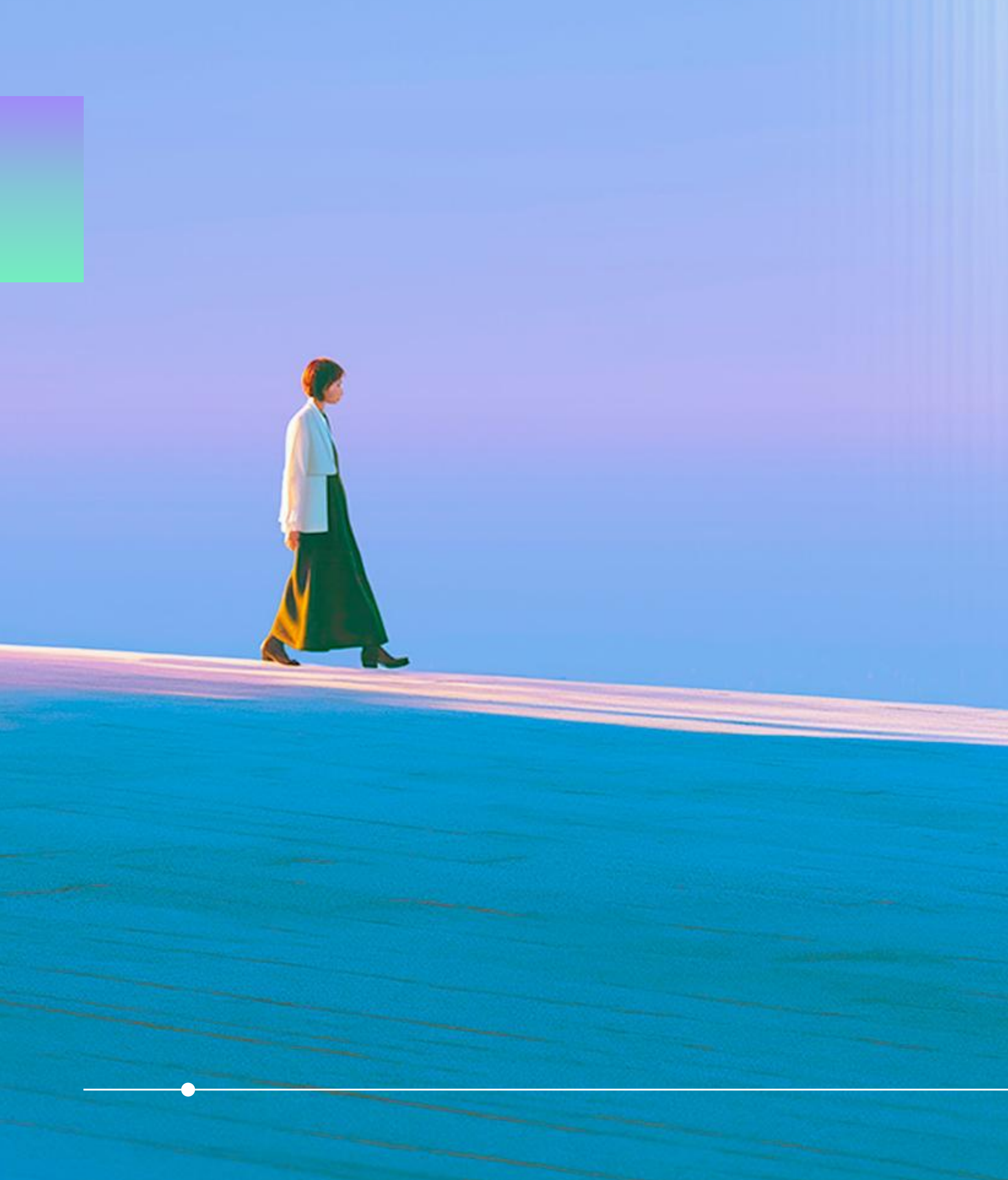
Enjoy the report!

The Autorité at a glance

A committed, independent institution

The Autorité de la concurrence is the institution responsible for ensuring the proper functioning of competition in France.

As an independent administrative authority, the Autorité operates with a Board structure and is made up of a wide range of profiles, which fosters debate and ensures the impartiality of its deliberations.



BOARD

17

members

WORKFORCE

206

staff

BUDGET

€26.2

million

FINES IN 2025

€379.3

million

4 missions

with the same ambition

1 SANCTIONING ANTICOMPETITIVE PRACTICES

The Autorité ensures that anticompetitive agreements and abusive behaviour, which can have a serious impact, are rightly punished. These practices include horizontal agreements between competitors (in particular "cartels" that can result in price rises), vertical agreements between suppliers and distributors, and abuses (exclusionary or exploitative) by players in a dominant position. These practices harm consumers, downstream and upstream businesses, and public finances in the case of anticompetitive conduct in public procurement contracts, and affect market efficiency itself by reducing the incentives for companies to improve.

2 REVIEWING MERGERS

The Autorité reviews planned mergers and acquisitions *ex ante*, to ensure they will not lead to overly strong positions that would reduce the competitive dynamics in the markets concerned. If there are risks of harm to competition, the Autorité may only clear the transaction on condition that appropriate solutions are put in place (structural or behavioural remedies), or may even block the transaction.

3 ADVISING POLICYMAKERS

The Autorité has a general advisory and expertise remit and serves, in a way, as a competition advocate. Its expertise is frequently called on by the French government and parliamentary committees on competition-related questions and draft legislative and regulatory texts. It then evaluates the impact of a reform on the competitive functioning of a given sector and identifies possible risks of distortion that may arise with the new text. The Autorité also has the power to start inquiries *ex officio*, in particular to analyse the competitive functioning of new markets.

4 REGULATING THE REGULATED PROFESSIONS

The Autorité is involved in regulating six regulated legal professions: notaries, commercial court registrars, court-appointed administrators, court-appointed liquidators, commissioners of justice and lawyers at the French Administrative Supreme Court (*Conseil d'Etat*) and the French Supreme Court (*Cour de cassation*). It regularly provides opinions to the French government on changes in fees, as well as the establishment of new professionals for certain professions. The Autorité therefore plays an active role in the implementation of the 2015 reform, which has thoroughly modernised the regulated professions.

EUROPEAN NETWORK

The French Autorité is one of the most active national competition authorities in Europe (in terms of both the number of investigations opened and decisions adopted on the basis of European law).

Key figures 2025

OVERVIEW

354
decisions and opinions

17
decisions on anticompetitive practices

9
opinions

328
merger control decisions

MERGERS

328
mergers and acquisitions reviewed

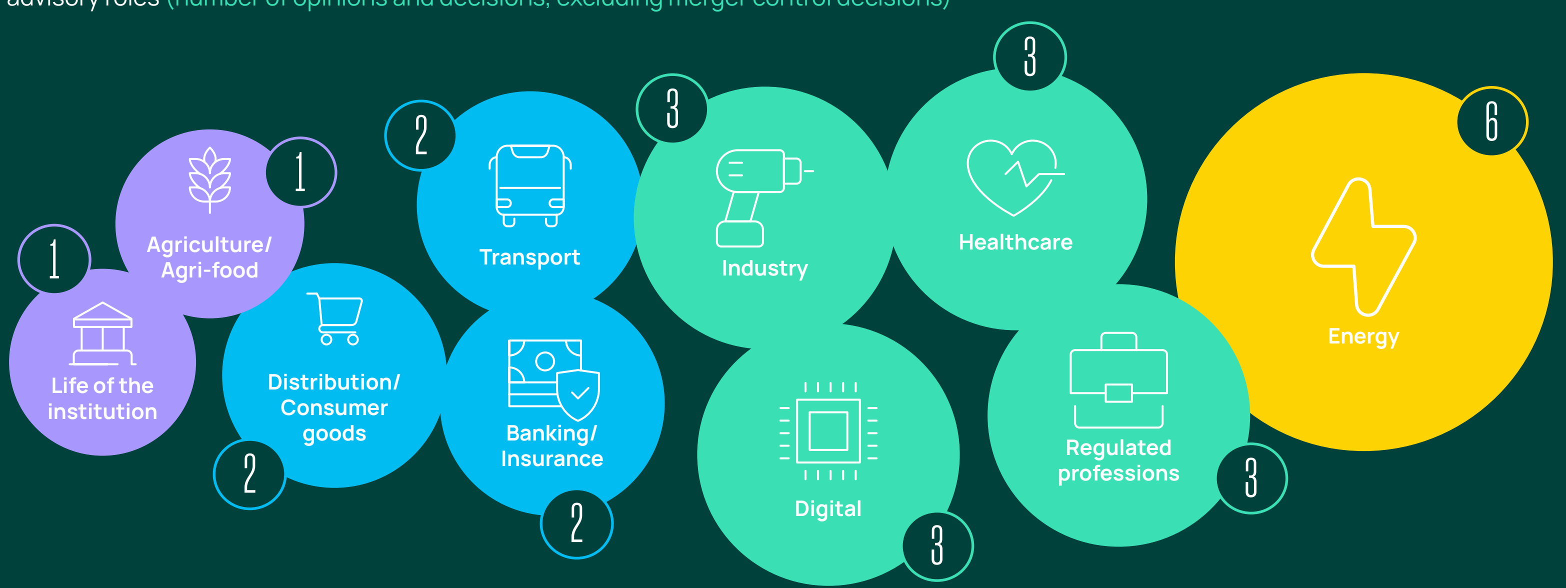
4
transactions cleared subject to commitments

324
transactions cleared without commitments

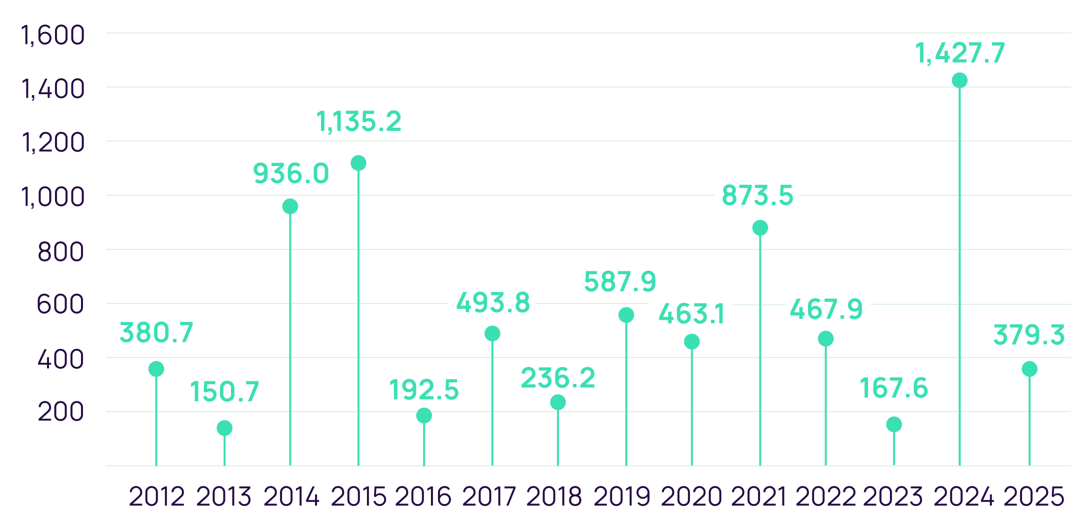
€31
billion
Total transaction value

ECONOMIC SECTORS

Economic sectors in which the Autorité took the most action in 2025, in its enforcement and advisory roles (number of opinions and decisions, excluding merger control decisions)



FINES - Trend in fines after appeal (in € millions)*



* The amounts indicated for 2024 and 2025 do not take into account the outcome of the appeals filed against certain decisions (rulings not available at the date of this report).

Average annual fines imposed over 10 years (before appeal)
€667.2
million

€379.3
million in fines in 2025

TYPE OF PRACTICES SANCTIONED

2
anticompetitive agreements

2
abuses of a dominant position

1
non-compliance with commitments made as part of a merger

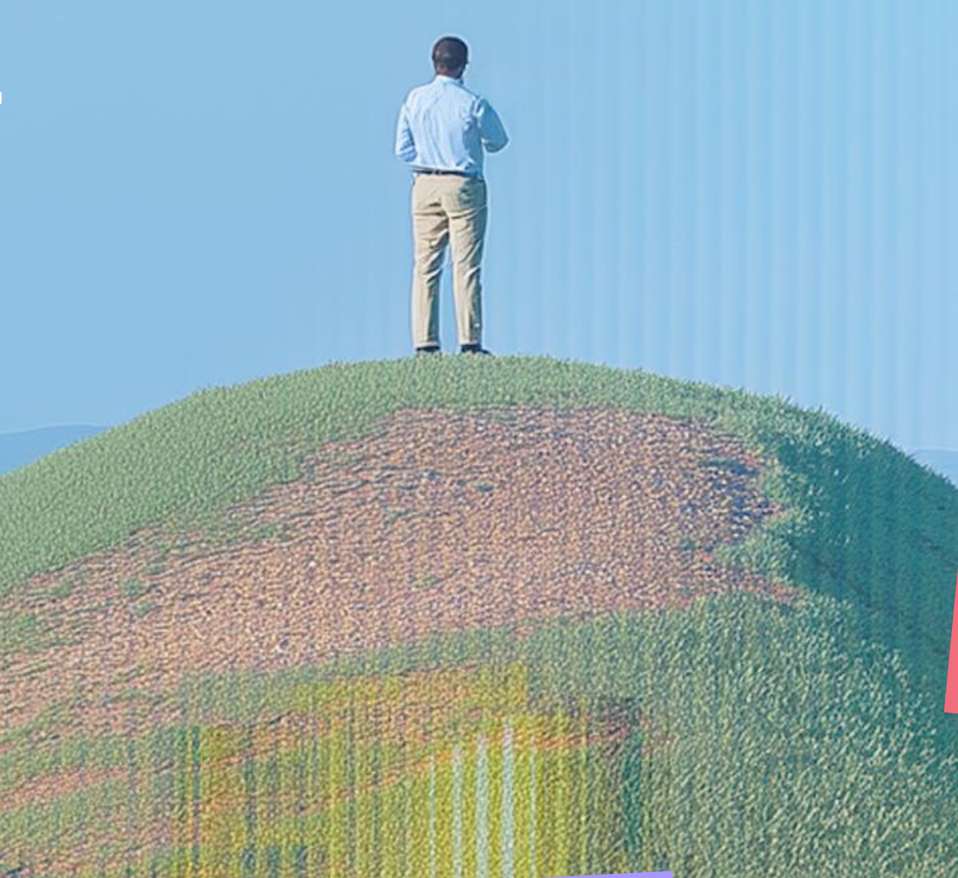
5
decisions imposing fines

APPEALS - Status at 3 April 2026

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Number of appeals filed	9	5	8	12	13	11	8	6	5	8
Number of decisions upheld:	9	5	7	12	11	11	6	1	-	-
Appeals dismissed, inadmissible or withdrawn	4	4	5	7	6	10	6	1	-	-
Partial review/upheld on the merits	5	1	2	5	5	1	-	-	-	-
Total appeals examined	9	5	8	12	13	11	7	1	0	0
Pending cases	0	0	0	0	0	0	1	5	5	8
% decisions upheld/total appeals examined*	100	100	88	100	85	100	86	100	-	-

* These statistics may change depending on the rulings of the French Supreme Court (*Cour de cassation*) and subsequently the Court of Appeal, as applicable.

THE VALUES OF THE AUTORITÉ



Independence

EXTERNAL

We are committed to upholding economic public order, consumer protection and free competition, regardless of political or private interests.

Our decisions are based on open discussion, taking both the legal and economic arguments into consideration, and on the merits of the case alone.

INTERNAL

We conduct our work with integrity and probity, and rigorously examine every case without bias.

We are capable of questioning our convictions and of being bold in preparing our assessments and proposals.

Dialogue

EXTERNAL

We attach great importance to dialogue, and make every effort to ensure open and constructive dialogue with the French parliament, government and public bodies, including the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF), companies, associations and other stakeholders, as well as our European and international partners.

We are particularly attentive to the principle of fairness and the *inter partes* nature of proceedings.

INTERNAL

We seek to provide a work environment that cultivates team spirit, employee well-being and the constructive exchange of ideas. Every day, we work in a spirit of trust, which values collaboration, goodwill and mutual respect among staff members.

Striving for excellence

EXTERNAL

Our ambition is to be among the most active and innovative competition authorities.

We seek to continually improve the efficiency of our procedures, as well as the quality, richness and timeliness of our decisions.

We strive to provide an expert vision of competition issues, based on thorough investigation and in-depth knowledge, particularly of strategic and emerging markets.

INTERNAL

We want to attract the best talent, and we train our teams in the latest methodologies.

We ensure that our teams update their skills regularly, so they can understand the legal, economic and technological challenges of the world of tomorrow and anticipate market developments.

Openness

EXTERNAL

We operate resolutely within a European and international context.

We believe the plurality of viewpoints, garnered during the investigation of our cases, during the discussions at Board hearings and as part of consultations with stakeholders, enhances the effectiveness and legitimacy of our work.

INTERNAL

We combine profiles, disciplines and nationalities to create a modern vision of competition.

We foster an inclusive working environment that ensures equal access for women and men at all levels of responsibility.

We value the diversity of profiles, which encourages debate and enriches our discussions.

Commitment

EXTERNAL

We do not hesitate to examine complex and sensitive subjects, in all sectors, within the scope of our various prerogatives.

We are responsive and agile in the face of new changes in the French economy.

INTERNAL

We are committed to ensuring the proper competitive functioning of the markets, and use all the legal tools at our disposal. We perform our duties with fairness, rigour and creativity, with the aim of being a driving force for the future.

The Autorité at the heart of global networks

In a globalised, digitally driven economy, marked by the growing market power of international players, cooperation between competition authorities has become essential. Whether at European, multilateral or bilateral level, such cooperation strengthens the capacity to detect, understand and tackle increasingly complex practices, while fostering greater convergence in competition rules and their enforcement internationally. Through its active engagement across these various fronts, the Autorité de la concurrence has established itself as a driving force in this borderless regulatory landscape, promoting effective competition and economic efficiency.

In response to the challenges posed by globalised markets, the Autorité has made cooperation a cornerstone of its work, with the objective of enhancing the effectiveness of investigations, promoting greater convergence in enforcement practices, and helping to shape the future direction of competition law. In practice, this is reflected in complementary action at both European and international level.

EUROPEAN COOPERATION: A HIGHLY DEVELOPED MODEL OF COOPERATION

At the heart of the European Competition Network

Inter-agency cooperation is most evident at European level. The Autorité has played a key role in the European Competition Network (ECN) since its creation in 2004.

The ECN is based on the rapid exchange of information as soon as investigations are opened, enabling more effective identification of cross-border cartels and the allocation of cases to the most appropriate authority.

Practical cooperation on the ground

Beyond theoretical exchanges, this cooperation translates into concrete action. The Autorité regularly works alongside its counterparts to support investigations, take part in dawn raids, and assist the European Commission in investigations conducted in France.

In 2025, the Autorité notably supported the Bulgarian, Czech and Spanish authorities in issuing requests for information, and assisted the German authority during dawn raids in France.

Working groups at the heart of innovation

The ECN also serves as a forum for strategic reflection, to which the Autorité actively contributes through a range of working groups that function as think tanks.

Discussions focus on issues at the heart of economic transformation:

- detection of cartels, particularly through artificial intelligence (AI);
- abuse of dominance;
- merger control;
- regulation of digital markets.

The ECN's working-group structure is continuously evolving. In 2025, a new working group on basic industries and raw materials was established, with the objective of improving understanding of sectors supplying essential inputs to the economy, including manufacturing and construction. Its first meeting focused on housing and construction materials, highlighting the ECN's capacity to address concrete economic issues.

INTERNATIONAL COOPERATION: A GLOBAL IMPACT

Building on this European experience, the Autorité takes action beyond the European Union, helping to shape international competition standards.

Multilateral cooperation: shaping global competition rules

The Autorité is highly active in major international forums.

Within the International Competition Network (ICN), which brings together more than 140 competition regulators, it serves on the Steering Group and, since 2024, has co-chaired the Merger Working Group, leading key projects on the effects of mergers and market definition.

It also plays a leading role within the OECD. Its President, Benoît Cœuré, has served as Chair of the Competition Committee since 2025, underscoring France's influence in international debates.

The Autorité also participates in the work of the G7, where discussions in 2025 focused in particular on the risks of algorithm-related collusion.

Within these bodies, the Autorité advocates a modern approach to regulation, in step with major economic shifts: the regulation of digital giants, data use, the challenges associated with the development of AI, and the interplay between competition policy and other public policies.

Bilateral cooperation: a tailored form of dialogue

The Autorité also maintains close bilateral relations with many foreign authorities and international organisations.

These exchanges take various forms, including hosting delegations, undertaking visits abroad, and organising or attending technical seminars, and enable the sharing of experience, the deepening of specialised expertise, and the provision of support to developing competition authorities.

In 2025, the Autorité hosted or held discussions with a number of foreign delegations, including from the Philippines, the United Kingdom and European institutions.

Such cooperation promotes the convergence of legal frameworks and the spread of high standards in competition policy.

A FOCUS ON DIGITAL ISSUES

Digital markets are a priority area. The Autorité is fully engaged in the implementation of the Digital Markets Act (DMA), as well as in addressing issues related to large digital platforms.

It actively participates in European and international discussions on data use, content remuneration, and new investigative tools.

FRENCH OVERSEAS TERRITORIES: A SPECIFIC AREA OF ENGAGEMENT

The Autorité de la concurrence maintains close links with its *"sister"* authorities, notably in French Polynesia and New Caledonia, supporting their institutional development and capacity building. The release by the New Caledonia competition authority (ACNC) of its decisions in open data format, following a collaborative effort with teams at the French authority, demonstrates this commitment to knowledge-sharing, transparency and the dissemination of best practices.

Flashback

40 years of economic regulation:
40 years of change, acceleration and disruption.

Explore the key milestones that have shaped competition law and discover how, over time, an increasingly ambitious framework has emerged in support of fair and effective competition.

Our competition law turns 40

Cast your mind back to 1986: Top Gun was leading the box office, and Madonna was dominating the airwaves. Fax machines were beginning to appear in offices across the country, Walkmans were providing the soundtrack to everyday life, and Minitel was connecting France long before the internet age.

In this fast-changing world, alive with energy and optimism, modern competition law was born in France. A new chapter was opened, as pricing freedom and the emergence of an independent regulator marked the first steps towards a culture of competition.

Since then, year after year, reform after reform, competition law has kept pace with the economy's constant evolution, becoming one of its defining pillars.

Its history is one of freedom, anticipation and balance: the story of a market in which competition has become both a driving force and a guiding principle.

Ready to travel back through the key moments that have shaped competition law in France and across Europe?

1986 Pricing freedom and the emergence of a regulator

The world held its breath as the FIFA World Cup unfolded. Diego Maradona dribbled past England, in a moment poised between genius and controversy. There was a sense of limitless possibility.

In France, too, a new chapter was opening. The government lifted price controls. The market became a playing field. But without rules, there can be no competition. In the shadow of this newfound freedom, a regulator stepped onto the field.

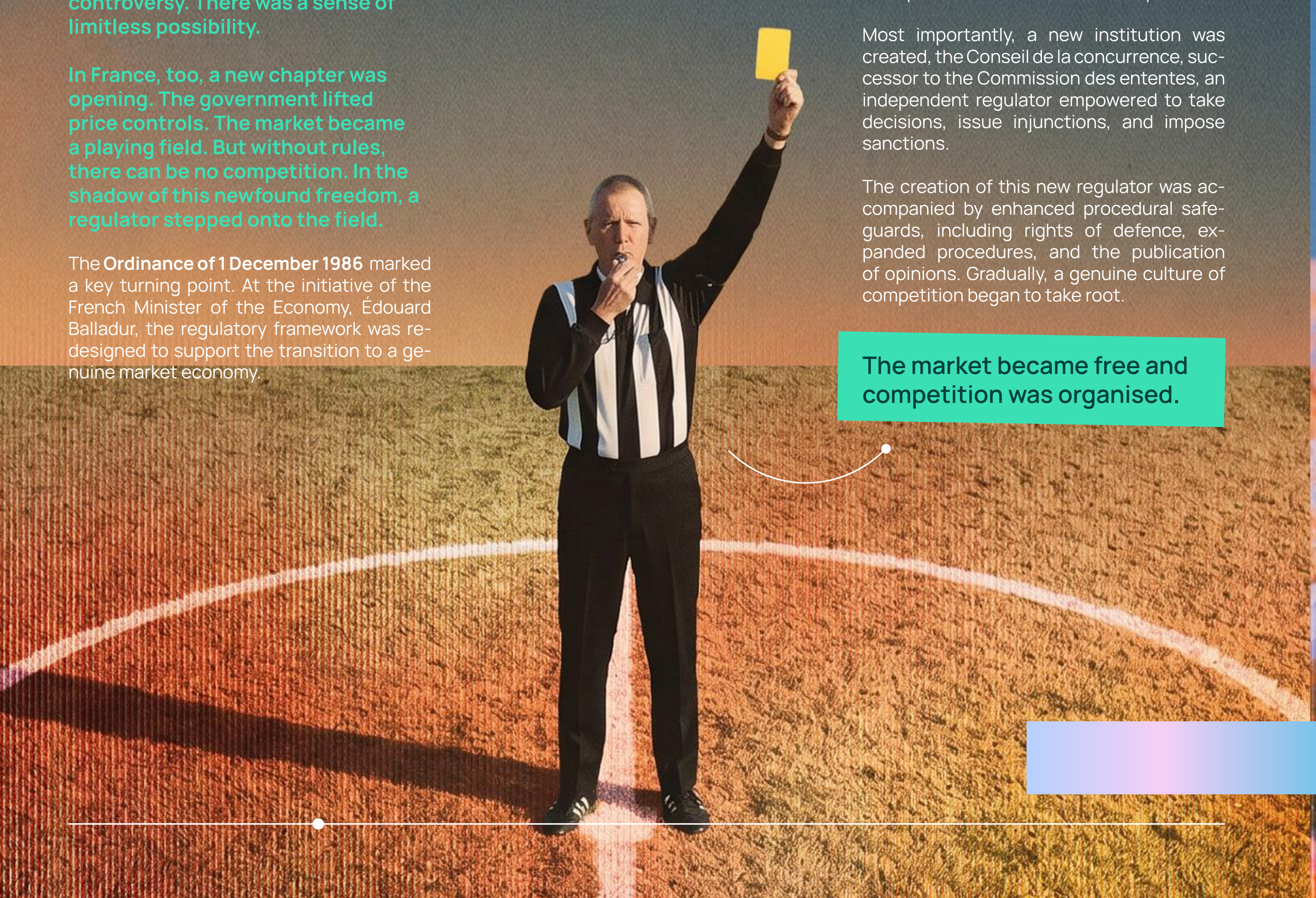
The **Ordinance of 1 December 1986** marked a key turning point. At the initiative of the French Minister of the Economy, Édouard Balladur, the regulatory framework was redesigned to support the transition to a genuine market economy.

Prices were no longer set by the government, but determined freely by market forces. Yet this freedom was not without limits: collusion and abuses of dominance were prohibited to ensure fair competition.

Most importantly, a new institution was created, the Conseil de la concurrence, successor to the Commission des ententes, an independent regulator empowered to take decisions, issue injunctions, and impose sanctions.

The creation of this new regulator was accompanied by enhanced procedural safeguards, including rights of defence, expanded procedures, and the publication of opinions. Gradually, a genuine culture of competition began to take root.

The market became free and competition was organised.



1989-2004 Towards a European competition law framework

The world was changing. The Berlin Wall had fallen, the internet was becoming part everyday life, and Daft Punk was bringing French electronic music to a global audience.

Institutions were moving to a different rhythm: competition law was beginning to extend beyond national borders. Rules were no longer purely national, but were being integrated at European level, as the first foundations of cooperation between authorities were laid.

In the 1990s, French competition law became increasingly aligned with the Community framework. The principles set out in the Treaty of Rome on anticompetitive agreements and abuse of dominance were reflected in national practice. At the same time, **Council Regulation (EEC) No 4064/89 of 21 December 1989** entrusted the European Commission with control of concentrations with a Community dimension.

A genuinely integrated system gradually began to emerge, shaped by the combined influence of national authorities, the European Commission and the Court of Justice.

A decisive step was taken with the adoption of **Council Regulation (EC) No 1/2003 of 16 December 2002, which entered into force on 1 May 2004.** The Regulation fundamentally modernised the enforcement of competition rules in Europe. Responsibility for application was decentralised, with national competition authorities and courts applying the rules directly.

Most significantly, the Regulation established the European Competition Network (ECN), providing a structured framework for inter-agency cooperation and enabling coordinated enforcement across Europe.

Competition became European, with rules being harmonised, authorities cooperating more closely, and the legal framework progressively converging.

2001-2008 Stronger regulation to foster growth

The world was moving quickly. Mobile phones were becoming part of everyday life, YouTube was introducing new generations of stars, and Google was transforming access to information. The economy was entering the network age.

The pace of change demanded swift action, but never in the absence of rules. Competition law was operating on a new scale. Its role now extended beyond regulation to shaping markets, anticipating emerging challenges, and intervening more forcefully where necessary.

In the early 2000s, a first milestone was marked with the **New Economic Regulations Act (NRE) of 15 May 2001**. The Conseil de la concurrence saw its enforcement powers strengthened: fines could now reach up to 10% of an undertaking's worldwide turnover, repeat infringements were taken into account, and new tools were introduced to disrupt cartels and expedite case handling, including leniency programmes and procedures for the non-contestation of objections.

In parallel, merger control became more systematic and faster. Regulation became more robust and effective.

In 2008, a new impetus was given with the **Economic Modernisation Act (LME) of 4 August 2008,** inspired by the work of the Attali Commission. Its aim was to remove barriers to growth and employment. The Conseil de la concurrence became the Autorité de la concurrence, with an expanded remit including responsibility for merger control, its own investigative powers, and new advisory powers.

This change of status marked a turning point. By bringing together investigative, case-handling and decision-making functions, the Autorité gained in coherence and effectiveness. It could now define a genuine intervention strategy and, in addition, conduct sector-specific inquiries at its own initiative (*ex officio*), thereby directly influencing public policy.

At the same time, procedural safeguards for undertakings were strengthened, including strict separation between investigation and decision-making, enhanced *inter partes* proceedings, and the creation of a Hearing Adviser.

Competition entered a new era, with greater influence and a central role in shaping economic dynamics.

2015 Towards more structural regulation

Traditional models were coming under strain. Uber and Airbnb were disrupting established habits, while screens – now omnipresent – and Netflix were reshaping patterns of entertainment consumption. The market could no longer wait; it was transforming in real time.

In the face of this constant change, regulation had to adapt: it could no longer simply sanction, but had to step in earlier and more decisively.

The **Law of 6 August 2015 on Growth, Economic Activity and Equal Economic Opportunities, known as the "Macron Law",** marked a new milestone, strengthening the Autorité's role by expanding its remit.

Merger control was consolidated, with procedures made more robust and the power to issue injunctions clarified, offering greater predictability for undertakings and enhancing the effectiveness of public action.

In parallel, the Autorité de la concurrence was given an additional specific role in the regulation of certain regulated legal professions (establishment of new professionals and fees).

The nature of regulation was gradually changing, becoming more proactive, more structural and more strategic.

2021 A more integrated and agile European competition framework

An unprecedented global pandemic stunned the world. Video conferencing became the norm, while TikTok and e-commerce boomed. Speed, uncertainty and connectivity defined the new reality.

Amid the mounting pressure, competition authorities enhanced coordination to deliver real-time responses.

The **Ordinance of 26 May 2021, which transposed the ECN+ Directive into French law,** marked a new milestone in the evolution of European competition policy. It harmonised the powers of national authorities to enforce competition rules within the internal market, there by enhancing both their effectiveness and consistency.

A shift in approach was taking place. The Autorité de la concurrence could now set its own priorities, select the most impactful cases, and focus its resources for maximum effect.

It also became more agile, with the ability to initiate proceedings and adopt interim measures at its own initiative (*ex officio*), without waiting for an undertaking to file a complaint.

At the same time, its investigative and sanctioning powers were strengthened. The legal framework for data access, including remote or protected data, was clarified. The competition toolbox was expanded and harmonised at European level, making enforcement more consistent and sharpening its deterrent effect. Lastly, cooperation between national authorities was scaled up significantly, with increased information exchange, greater assistance during investigations, and closer coordination. The network was now considerably stronger.

Competition policy was now enforced through a network, becoming more integrated and coordinated across Europe.

2023-2026 Regulating the digital economy, the new challenge

Large platforms now shape our daily lives. Apple, Amazon, Google and Meta control access to markets, data and consumers.

Power has taken a new form. It is no longer measured solely in market share or turnover, but in control over ecosystems, data and technologies.

This transformation is further compounded by a major disruption: the rapid rise of artificial intelligence (AI).

This technological revolution is reshaping the competitive landscape by intensifying network effects, reinforcing the advantages of data-rich players, and driving the restructuring of entire markets. In response, the Autorité de la concurrence has intensified its work and policy positions to analyse and regulate new forms of power.

The challenge has evolved beyond merely sanctioning individual behaviours, and now centres on a more fundamental question: how to regulate entire markets before they become locked in.

The **European Digital Markets Act (DMA), adopted in 2023 and effective from 6 March 2024,** represents an unprecedented response to this challenge. It imposes *ex ante* obligations on large platforms designated as gatekeepers, including prohibitions on self-preferencing, interoperability requirements, fair data access, and the freedom to uninstall pre-installed applications. With the DMA, regulation has shifted to forward-looking enforcement. Rather than merely correcting anticompetitive practices after the fact, it now sets the rules upfront. The Autorité will play a key role in its implementation, in close cooperation with the European Commission.

Competition is entering a new era, one that is more structured and resolutely focused on anticipating technological disruptions, starting with AI.

Tackling anticompetitive practices

40 years, 40 cases

Forty cases that tell a story of far more than a series of decisions and opinions: the story of a transformation. The landmark cases highlighted here illustrate the gradual shaping of economic regulation, driven by evolving challenges, crises and shifts in markets. From enforcing anticompetitive practices to guiding market participants through mergers and acquisitions and fostering a genuine culture of competition, each case marks a step forward, an advance or, even, a turning point.

A look back at 40 key moments that have shaped the rules of the game and continue to influence today's economy.

1988

CEMENT
A landmark decision in modern competition law in France

2003

FOOTBALL
Interim measures in respect of the broadcasting rights for Ligue 1 matches

2005

MOBILE TELEPHONES
Anticompetitive agreement between Orange, SFR and Bouygues Telecom

2011

HOME CARE AND PERSONAL CARE
Anticompetitive agreements in the retail sector

2015

PARCEL DELIVERY SERVICES
Cartel in the logistics sector

2015

DAIRY PRODUCTS
Anticompetitive agreements in the agrifood sector

2017

FLOOR COVERINGS
Cartel (prices and environmental criteria)

2019

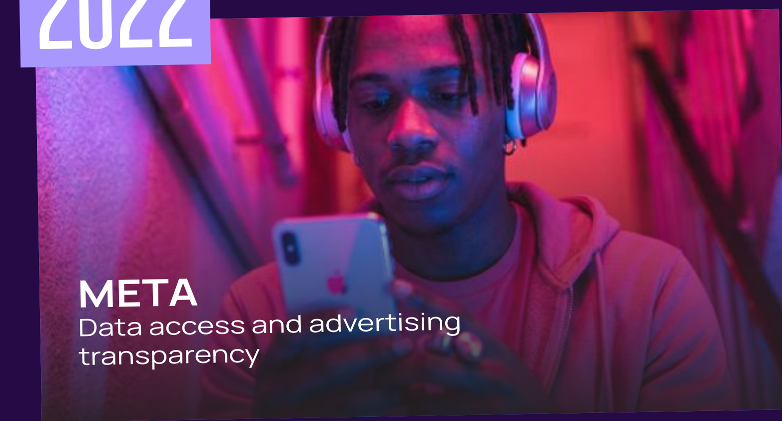
MEAL VOUCHERS
Anticompetitive agreement between voucher issuers

2020

APPLE
Vertical agreement and abuse of economic dependence in the distribution network

2021

GOOGLE – ADTECH
Abuse of dominant position in online advertising



2022

META
Data access and advertising transparency

2024

HOUSEHOLD APPLIANCES
Vertical agreements and resale price control

2024

ELECTRICAL EQUIPMENT
Vertical price agreements

2024

GOOGLE – AI AND RELATED RIGHTS
Data and artificial intelligence at the heart of competitive analysis

2025

APPLE – ATT
Abuse of dominant position in targeted advertising

Merger control

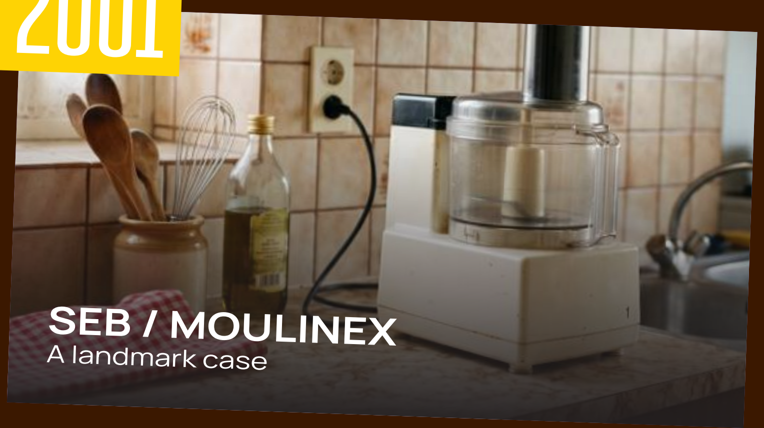
1999

CARREFOUR / PROMODÈS
A landmark case in modern merger control in France

2000

VIVENDI - CANAL+ / SEAGRAM
A major merger in the media sector

2001



SEB / MOULINEX
A landmark case

2006

SUEZ / GAZ DE FRANCE
An emblematic merger in the energy sector

2006

CANAL+ / TPS
Structural remedies and enhanced monitoring

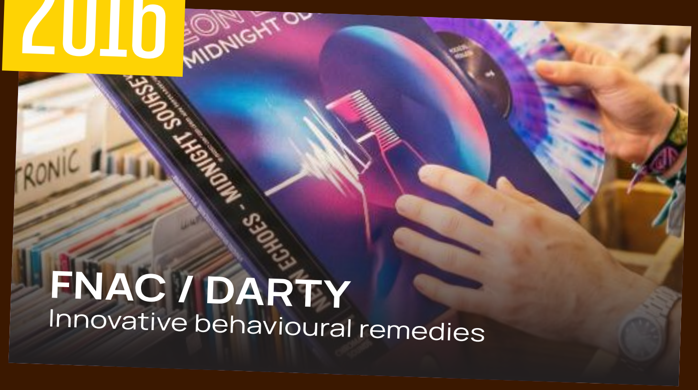
2009

CAISSES D'ÉPARGNE / BANQUE POPULAIRE
Reorganisation of the banking sector

2014

NUMERICABLE / SFR
Major consolidation in the telecommunications sector

2016



FNAC / DARTY
Innovative behavioural remedies

2018

COFIGEO / WILLIAM SAURIN
Takeover of a struggling agrifood company (call-in by the Minister of the Economy)

2021

VEOLIA / SUEZ
An emblematic merger in environmental services

2022

TF1 / M6
Restructuring abandoned in the audiovisual sector

2022

BUT / CONFORAMA
First application of the failing firm exception by the Autorité de la concurrence

2023

CANAL+ / OCS / ORANGE STUDIO
Consolidation in audiovisual content

Advisory action

1987

OPINION ON PRICING FREEDOM AND COMPETITION
The foundation of modern competition law in France

1996

TELECOMMUNICATIONS
Opening of a historic monopoly to competition

2000

ELECTRICITY
Gradual market liberalisation

2010

ONLINE ADVERTISING
First comprehensive analysis of the digital economy

2012

CAR REPAIRS
Opening of the spare parts market and reform of the automotive sector

2013

MEDICINES
Competition in the distribution chain

2014

MOTORWAYS
Concession profitability and regulatory challenges

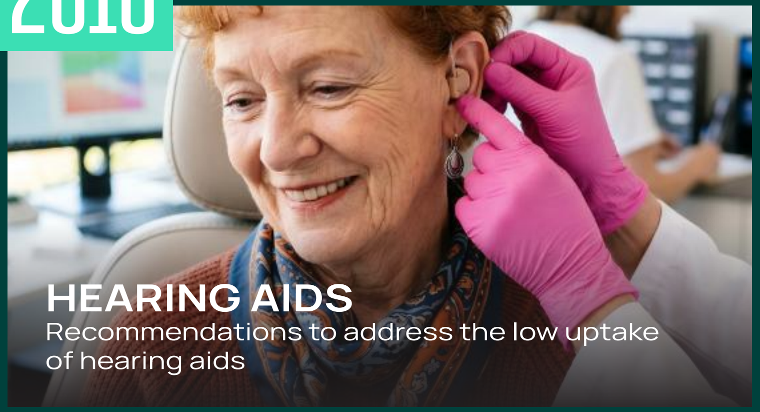
2014

COACHES
Liberalisation of intercity transport

2015

REGULATED LEGAL PROFESSIONS
Opening of protected sectors to competition

2016



HEARING AIDS
Recommendations to address the low uptake of hearing aids

2018-2026

DIGITAL PLATFORMS, THE CLOUD AND ARTIFICIAL INTELLIGENCE
New competitive dynamics arising from data and digital ecosystems

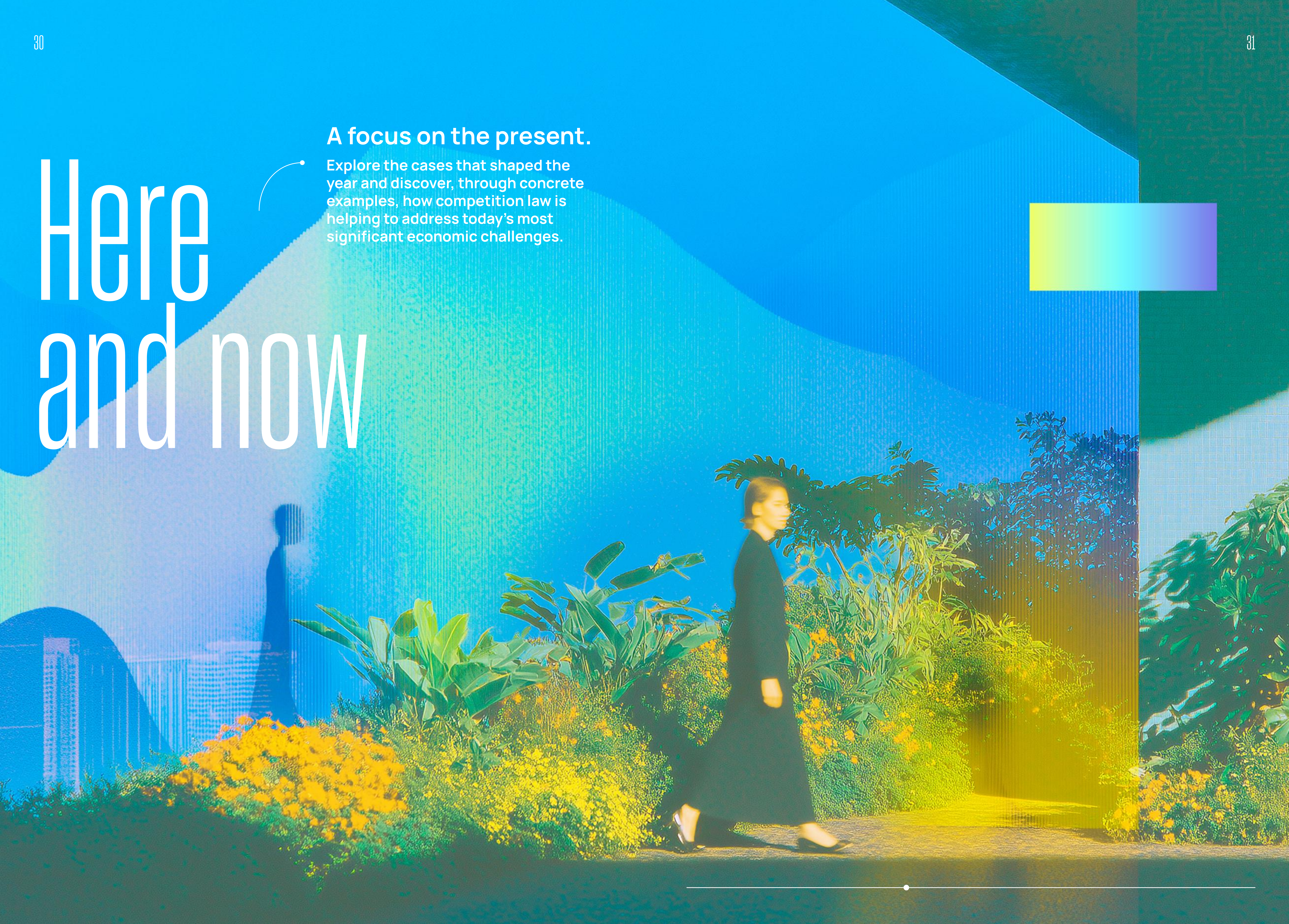
2019

OVERALL ASSESSMENT OF COMPETITIVE CONDITIONS IN THE FRENCH OVERSEAS TERRITORIES
Recommendations to strengthen competition in the French overseas territories

Here and now

A focus on the present.

Explore the cases that shaped the year and discover, through concrete examples, how competition law is helping to address today's most significant economic challenges.



Doctolib fined for abusing its dominant position

Within just a few years, Doctolib has become a leading provider of online medical appointment booking and remote medical consultation services. However, its success has been accompanied by practices found to be anticompetitive. The Autorité fined the company €4.6 million for abusing its dominant position by foreclosing the market and eliminating its main competitor through its acquisition.

Fine of

€4.6 million

PLATFORMS THAT HAVE BECOME ESSENTIAL

With online medical appointment booking services, patients can find a healthcare professional and book an appointment in just a few clicks, whether through a website or an app. For healthcare professionals, online booking platforms simplify diary management by handling appointment scheduling, confirmations and automated reminders.

The online medical appointment booking market is "two-sided": the greater the number of healthcare professionals that use a platform, the more patients that also use the same platform, and vice versa.

Such network effects naturally favour the emergence of dominant players. Doctolib is the most striking example, with market shares exceeding 50% between 2017 and 2022 and, in some years, reaching more than 90%.

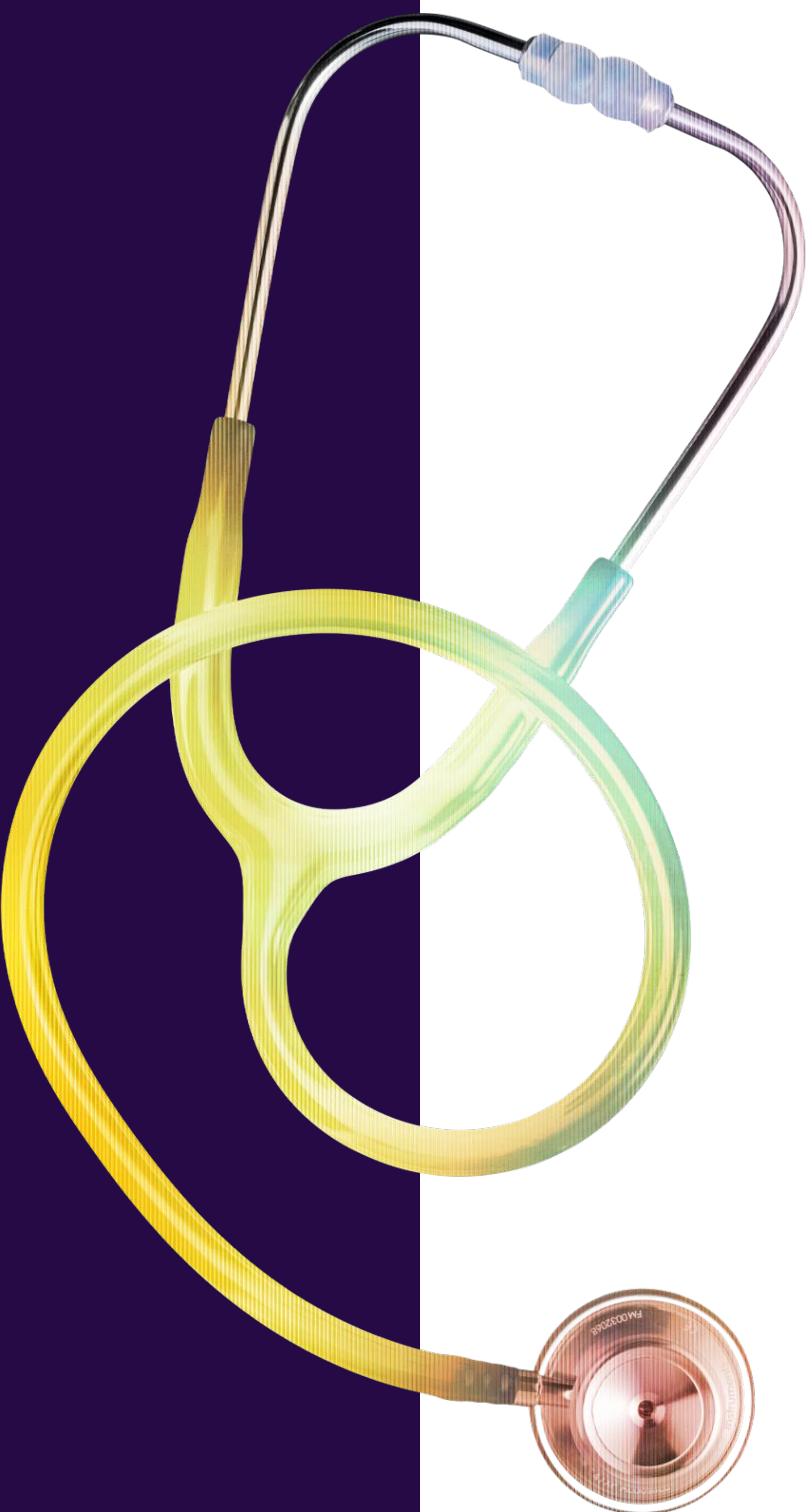
REMOTE MEDICAL CONSULTATIONS: MARKET GROWTH ACCELERATED BY THE COVID-19 PANDEMIC

Remote medical consultations, which rely on secure medical video conferencing solutions, have expanded significantly since 2020, driven by the COVID-19 pandemic.

Here too, Doctolib quickly established itself as the market leader, capturing a market share of more than 40% from its entry into the sector, amid significant barriers to entry for new competitors.

EXCLUSIVITY CLAUSES THAT HELD HEALTHCARE PROFESSIONALS CAPTIVE

The first objection was that, until September 2023, Doctolib imposed exclusivity clauses on its subscribers, prohibiting or strongly discouraging them from using competing services, at the risk of having their contracts suspended or terminated.



Internal documents revealed a deliberate strategy to foreclose the market, with management stating that Doctolib should become *"an essential, strategic interface between doctor and patient, in order to lock in both parties"*.

These practices limited healthcare professionals' choice and hindered the development of competing platforms, particularly smaller ones; some even decided not to launch their services or to cease operating.

> The exclusivity clause in subscription contracts hindered the development of competitors, particularly smaller players with limited resources.

BUNDLED SERVICES TO STRENGTHEN MARKET DOMINANCE

The second practice found to be problematic was tied selling. To access the remote consultation service, healthcare professionals were obliged to subscribe to Doctolib Patient, the company's appointment booking service. Even where they already used a competing solution, they were still required to install Doctolib's system.

This strategy mechanically strengthened Doctolib's dominant position in the medical appointment booking market, to the detriment of alternative solutions.

THE ACQUISITION OF MONDOCTEUR: A KEY TURNING POINT

The third practice under scrutiny was a predatory acquisition. In 2018, Doctolib acquired MonDocteur, its main competitor. As the transaction fell below the merger control thresholds, it was not subject to *ex-ante* review at the time. However, in light of the Court of Justice of the European Union's (CJEU) recent Towercast judgment (2023) and the extensive evidence in the case file, the Autorité concluded that the acquisition constituted an abuse of a dominant position.

Internal documents clearly demonstrated the anticompetitive intent behind the acquisition. These included statements confirming the aim to *"kill the product"* and asserting that, for Doctolib, *"the creation of value [...] is not the addition of [MonDocteur] but its disappearance as a competitor"*. A further document, prepared at Doctolib's request, stated that, following the acquisition of MonDocteur, *"Doctolib will operate without any competition in France"*.

> Doctolib acquired its main competitor in order to foreclose the French market for online medical appointment booking services.

Following the acquisition, Doctolib consolidated its position, acquired thousands of new customers, and introduced several price increases without any significant loss of customers.

THE FIRST FINE IN FRANCE FOR A PREDATORY ACQUISITION

In total, the Autorité imposed a fine of €4.665 million on Doctolib:

- €4.615 million for the exclusivity and tied selling practices;
- €50,000 for the predatory acquisition of MonDocteur, marking the first application of this legal basis in France.

Doctolib was also ordered to publish a summary of the decision in *Le Quotidien du Médecin*.

Decision 25-D-06 of 6 November 2025 (Decision under appeal)

This case underlines a fundamental principle: innovation and commercial success do not exempt a company from complying with competition rules, which apply universally – particularly to companies holding a dominant position.

Two anticompetitive agreements fined in the engineering and digital sectors

In certain sectors, the ability to recruit candidates with specialist skills is a strategic issue. In June 2025, the Autorité fined no-poach agreements between several leading providers of consulting and IT services – a landmark decision, and one that is particularly timely in the current economic context, highlighting that competition law also governs labour markets, not just prices and customers.

SECRET AGREEMENTS THAT FORECLOSED THE JOB MARKET IN THE SECTOR

In the engineering, technology consulting and IT services sectors, human capital is a key competitive parameter. The skills and expertise of consultants, engineers and managers are central to the value proposition delivered to clients. Restricting employee mobility therefore weakens competition in labour markets.

The Autorité fined two separate no-poach agreements between:

- Ausy (now Randstad Digital) and Alten;
- Expleo and Bertrandt.

The companies had entered into "gentlemen's agreements" not to solicit or hire each another's employees.

Fine of

€29.5 million

> In some sectors, skills and expertise are central to the value proposition delivered to clients. Restricting employee mobility therefore weakens competition.

AUSY AND ALTEN: NEARLY A DECADE OF NO-POACH PRACTICES

For almost 10 years, between 2007 and 2016, Ausy and Alten implemented a broad agreement covering their business managers. This agreement prohibited both the active solicitation of each other's employees and their recruitment in response to spontaneous applications, while also requiring prior consultation between the companies before any employee move could occur.

The agreement, which had no defined duration or scope, was disclosed to the Autorité by Ausy as part of a leniency application submitted in April 2018. The information provided was subsequently corroborated during the investigation, with multiple references in the case file to the existence of *"a gentlemen's agreement not to chase each other's management teams"*.

BERTRANDT AND EXPLEO: AVOIDING A "HIRING WAR"

The dawn raids conducted by the Autorité also uncovered another agreement, this time between Bertrandt and Expleo. Several items seized during the raids provided evidence of exchanges between the companies aimed at avoiding a "*hiring war*".

This second agreement, which was in force for a shorter period, from February to September 2018, once again involved a mutual undertaking not to poach each other's employees, including through spontaneous applications.

A CLEARER FRAMEWORK

The Autorité found insufficient evidence to substantiate the existence of an anticompetitive agreement between Ausy and Atos. It also addressed, for the first time, non-solicitation clauses included in partnership agreements, finding that, in this specific context, the clauses were not anticompetitive given their limited scope and purpose.

The Autorité stressed, however, that its assessment was closely dependent on the circumstances of the case and did not rule out future sanctions in other contexts.

> The practices affected employees, whose prospects for mobility and improved working conditions may have been impacted.

A STRONG SYMBOLIC SIGNIFICANCE

While the Autorité had previously sanctioned such practices within broader agreements, this decision marked the first time it had considered employee non-solicitation clauses in isolation. It confirmed that such clauses, particularly where they are general in nature and with a broad scope, are anticompetitive by object.

In total, Alten, Bertrandt and Expleo were fined €29.5 million, with Alten receiving the largest fine. Ausy/Randstad Digital, however, benefited from full immunity due to its status as a leniency applicant.

In addition to the fines, the Autorité ordered the companies to publish a summary of the decision on LinkedIn and in *Le Monde Informatique*.

Decision 25-D-03 of 11 June 2025 (Decision under appeal)

By recalling that such practices directly affect employees' prospects for mobility, career progression and working conditions, the Autorité sent a clear message: no-poach agreements are not harmless arrangements, but serious infringements of both market competition and workers' rights.

Ski Instructors

An anticompetitive exclusivity clause

The Autorité fined the French ski instructor union (*Syndicat national des moniteurs du ski français* – SNMSF) €3.4 million for imposing a broad exclusivity obligation on its members, thereby restricting their freedom to work outside ski schools operated by *Écoles du ski français* (ESF). This decision is a reminder that sporting activities are not exempt from the application of competition law and reiterates the harm to competition caused by agreements that limit the professional mobility of self-employed workers.

AN EXTREMELY RESTRICTIVE EXCLUSIVITY CLAUSE

From 2006 onwards, an exclusivity clause in the standard agreement for instructors affiliated with ESF ski schools prohibited instructors from teaching outside the ESF network, whether at a competing ski school or independently.

In 2013, the rules were further tightened with the introduction of additional measures, including the automatic exclusion from both the union and the ESF network in the event of non-compliance with the exclusivity obligation, as well as a ban on joining another union.

The Autorité found that this exclusivity obligation went far beyond the practices of competing ski schools and concluded that the risk of exclusion was sufficient to ensure compliance by instructors, as evidenced by the average uninterrupted membership period of SNMSF instructors (19 years).

Fine of

€3.4 million

MARKET FORECLOSURE REINFORCED BY THE CENTRAL ROLE OF ESF IN SKI INSTRUCTION

ESF ski schools are present in nearly all French resorts (216 out of 250) and have over 16,000 ski instructors, representing around 80% of all instructors working in the sector in France.

The exclusivity clause therefore had a particularly significant impact. As instructors are an essential resource for ski schools, competition between schools depends crucially on their ability to recruit sufficient qualified instructors. On this point, the SNMSF's competitor ski schools told the Autorité they were struggling to expand due to significant difficulties in recruiting the resources needed to develop their activities.

The Autorité considered that this broad restriction, which applied to all instructors, regardless of their status or discipline, and for the entire duration of their membership of the SNMSF, constituted a restriction of competition by object within the meaning of Article 101 of the Treaty on the Functioning of the European Union and Article L. 420-1 of the French Commercial Code (*Code de commerce*).

See the diagram summarising the organisation of the ESF and the central role of the SNMSF

> Competition between schools depends crucially on their ability to recruit sufficient qualified instructors.

A FINE OF €3.4 MILLION

The Autorité imposed a fine of €3.4 million on the SNMSF, under the new framework applicable to professional bodies *(Article L. 464-2 of the French Commercial Code)*:

- The amount of the fine was determined based on the total worldwide turnover of all SNMSF member instructors active in the affected market, up to a limit of 10% thereof (under the previous system, professional bodies faced a fixed, flat-rate maximum fine of €3 million).
- For the first time, the decision also applies a new provision of the French Commercial Code, enabling the Autorité to order the SNMSF – in the event the union is unable to pay all or part of the fine – to call for contributions from its member instructors.

The Autorité also ordered the SNMSF to publish a summary of the decision on its website and in the trade and regional press, and to communicate a summary of the decision by email to all instructors. Lastly, the standard agreement and any other documents necessary for its implementation must be amended to comply with competition law.

Decision 26-D-03 of 17 March 2026 (Decision under appeal)

> Professional bodies now face potentially much higher fines for anticompetitive behaviour.

This case serves as a timely reminder that professional mobility and the freedom to conduct business must not be restricted without proper justification.

Going forward, ski instructors will be able to work within a more open framework, which should promote greater competition between ski schools and offer consumers wider choice.

Fine for abuse of a dominant position

Fine of

€150 million

Apple has made privacy a cornerstone of its strategy. While this objective is entirely legitimate, it cannot be pursued through practices that distort competition. This was the message delivered by the Autorité when it imposed a €150 million fine on Apple for abusing its dominant position in the rollout of its App Tracking Transparency (ATT) framework. The Autorité found that the framework had been implemented in an unnecessarily complex and unbalanced manner, penalising third-party app developers, particularly smaller ones.

THE ATT FRAMEWORK: A LAUDABLE PRINCIPLE, BUT DISPUTED IMPLEMENTATION

Introduced in April 2021 with iOS 14.5, the ATT framework requires apps to obtain explicit consent from iPhone and iPad users before collecting any data for targeted advertising purposes. In practice, a pop-up window appears when an app is launched, asking users to accept or decline advertising tracking via the device's advertising identifier (IDFA).

While the Autorité does not dispute Apple's legitimate objective of enhancing personal data protection, it considers that the framework's implementation far exceeds what is necessary to achieve that objective.

> Although the objective of protecting privacy is legitimate in itself, the means used to achieve that objective must remain necessary and proportionate.

AN ARTIFICIALLY COMPLICATED USER EXPERIENCE

One of the main concerns identified by the Autorité is the proliferation of consent pop-ups. In practice, the ATT prompt does not enable publishers to fully comply with the requirements of French and European data protection law. Consequently, publishers must continue to display their own consent notices through dedicated consent management platforms (CMPs).

This layering of consent requests significantly complicates the user experience and impedes users' ability to understand the available options, a concern previously highlighted by the French data protection authority (CNIL). In the Autorité's view, this complexity is neither necessary nor justified.

A FRAMEWORK BIASED AGAINST THIRD-PARTY APPS

Another issue identified by the Autorité is the lack of neutrality of the framework. The Autorité observed a striking asymmetry: while advertising tracking only needs to be declined once, users must always confirm their consent a second time. This difference in treatment is liable to influence user behaviour and distort the consent-gathering process.

> The asymmetry between declining and accepting tracking prevents users from giving genuinely informed consent.

APPLE TREATED MORE FAVOURABLY THAN ITS COMPETITORS

Lastly, the Autorité identified an asymmetry in the treatment of Apple and third-party publishers. For a long time, Apple did not subject its own apps to the same consent requirements as those imposed on third parties. Even today, Apple benefits from a single consent prompt for its personalised advertising, whereas third-party publishers must obtain double consent for third-party data.

This difference in treatment has strengthened Apple's competitive advantage, given its already vast data ecosystem, to the detriment of smaller players.

SMALL PUBLISHERS IN DIFFICULTY

While the ATT framework has affected the mobile advertising sector as a whole (including advertising service providers, advertisers and publishers), the Autorité considers that its effects have been particularly significant for smaller publishers, which often rely on targeted advertising to fund their free apps. Unlike large integrated platforms, smaller players do not have access to sufficient volumes of proprietary data to develop alternative solutions.

By contrast, major digital companies like Google and Meta, with their own ecosystems, have been able to adapt more easily.

A FINE TO REAFFIRM THE RULES

As part of its investigation into the merits of the case (following the initial rejection of interim measures in March 2021), the Autorité decided to impose a €150 million fine, taking into account the duration and seriousness of the infringement, as well as Apple's economic power. Apple was also ordered to publish a summary of the decision on its website for seven days.

Decision 25-D-02 of 31 March 2025
(Decision under appeal)

This case illustrates the close cooperation between the Autorité de la concurrence and the French data protection authority (CNIL), with the two authorities maintaining dialogue throughout the proceedings.

It shows that competition law and the right to privacy are not mutually exclusive, but both seek to guarantee a fair and transparent market that safeguards consumer interests and well-being.

According to the CNIL, limited adjustments to Apple's ATT framework could have provided effective protection for users without creating an excessively complex and unbalanced system.

Energy and chatbots: new areas of focus for the Autorité

As energy-intensive data centres proliferate, conversational agents expand rapidly, and new market dynamics emerge, the Autorité is stepping up its efforts to anticipate the economic effects of artificial intelligence (AI). Through a study on the energy and environmental impact of AI, followed by an own-initiative inquiry (*ex officio*) into the conversational agents sector, the Autorité is identifying new competition risks that call for collective vigilance.

AI already accounts for

1.5%

of global electricity consumption

THE GROWING ENERGY DEMANDS OF AI

The rapid development of AI relies on extensive infrastructure, particularly data centres and high-performance computing capacity. This infrastructure already accounts for around 1.5% of global electricity consumption, a share that is expected to increase significantly as AI drives further demand.

In France, electricity consumption by data centres could reach up to 28 TWh by 2035, equivalent to almost 4% of national electricity consumption. Beyond energy, AI also places increasing pressure on other critical resources, including water, rare metals and land, while generating a substantial carbon footprint, as acknowledged by several major digital companies.

> "The rise of AI is driving a sharp increase in electricity consumption and placing growing pressure on natural resources.

ACCESS TO ENERGY: A COMPETITION ISSUE

In the Autorité's view, the growing energy needs associated with AI raise major competition concerns. Access to the power grid, connection times and, above all, electricity prices can all affect players' ability to grow.

The largest groups are able to secure long-term supply contracts, sometimes directly linked to low-carbon energy sources such as nuclear or renewables. The Autorité warns that such favourable conditions could create barriers to entry for smaller or more innovative players, and calls for particular vigilance to ensure fair access to energy.

FRUGALITY: A NEW COMPETITIVE PARAMETER

In response to the environmental impact of AI, the concept of frugality is gaining prominence. This approach involves designing AI systems that are more efficient, appropriately scaled, and less resource-intensive.

> "Frugality can become a driver of competition and innovation.

The Autorité considers that frugality could evolve into a fully-fledged competitive parameter, fostering the emergence of more cost-effective solutions that are better tailored to specific use cases and creating new opportunities for smaller players, provided that communications about environmental impact are based on reliable and transparent methodologies to avoid misleading practices.

MEASURING TO COMPARE: THE EMERGENCE OF STANDARDS

At present, data on the environmental footprint of AI remains limited and difficult to compare. The Autorité therefore emphasises the importance of standardisation, through eco-design frameworks, measurement tools and even environmental ratings.

When properly designed, such standardisation can enhance transparency and enable competition on the merits. If poorly managed, however, it could exclude certain players or encourage anticompetitive behaviour. Once again, vigilance is therefore essential.

Study, Competition issues surrounding the energy and environmental impact of artificial intelligence, 17 December 2025

CONVERSATIONAL AGENTS: A NEW AREA OF ANALYSIS

Building on its previous work, and in particular on its 2024 opinion on generative AI (Opinion 24-A-05 of 28 June 2024), the Autorité announced the launch of an own-initiative inquiry (*ex officio*) into the conversational agents sector, including ChatGPT, Gemini, Copilot and Mistral. The usage of these tools has grown dramatically, with a more than 60% increase in users in France in 2024.

While the sector appears dynamic today, the Autorité wants to analyse its competitive functioning, focusing in particular on business models, the integration of advertising, partnerships formed by conversational agent developers, and the transformation of conversational agents into platforms providing access to third-party services.

Particular attention will be paid to agentic commerce, where conversational agents may increasingly facilitate – or even execute – online purchases on users' behalf. Such a development could reshape the entire digital commerce ecosystem.

Press releases, 9 January 2026 and 29 January 2026

The Autorité organised a webinar entitled **"AI, energy and the environment: The new competitive equation"**, bringing together regulators and public bodies – including the French energy regulator (CRE), the French government's digital and environmental innovation hub (Ecolab), the French electronic communications, postal and print media distribution regulator (ARCEP) and the Autorité de la concurrence – alongside industry representatives from OVHCloud and Orange, to share their perspectives.

Watch the replay (in French)

Building a new equilibrium

YouTube, TikTok, Instagram and Twitch have profoundly reshaped the audiovisual landscape. Over the past 15 years, online video content creation has become a fully-fledged economic sector, comprising more than 150,000 professional creators in France in 2024. In an own-initiative opinion (*ex officio*), the Autorité analysed the relationships between creators and the various players across the value chain, including platforms, audiences, commercial partners and talent agencies. In particular, it noted a structural imbalance in favour of the major platforms and called for greater transparency and fairness.

150,000

professional creators in France in 2024

> Creators are economically dependent on the main platforms.

A RAPIDLY EXPANDING "MULTI-SIDED" MARKET

To inform its analysis, the Autorité consulted stakeholders across the sector, including platforms, agencies, professional bodies and high-profile content creators. It also conducted a survey of content creators, supplemented by questionnaires and hearings. In addition, its Board heard representatives from Instagram, OpenAI, TikTok, Twitch and YouTube, as well as the French Union of Influencers and Content Creators (UMICC) and several high-profile content creators, including Dr Nozman, EnjoyPhoenix, Gaspard G, HugoDécrypte, Inoxtag, Maghla, McFly & Carlito, Squeezie and ZeratoR.

Online video content creation involves the production and distribution of videos through digital platforms, which act as intermediaries between content creators, audiences and advertisers. As such, the sector constitutes a multi-sided market, bringing together several categories of interdependent players.

While a handful of well-known creators attract most media attention, the vast majority operate on a much smaller scale. No matter their size, all creators work in an environment in which platforms occupy a central position.

PLATFORMS WITH EXTREMELY STRONG MARKET POWER

In theory, platforms compete to attract both content creators and audiences. In practice, the sector is now concentrated around a handful of major players. The use of platforms has become essential for establishing an online presence, reaching audiences and generating revenue.

From creators' perspective, switching from one platform to another is not easy. Formats, audiences, cultural norms and tools vary considerably, while audience overlap remains limited. Consequently, platforms tend to be complementary rather than genuine substitutes for one another.

This results in a significant imbalance. Content creators often depend on one or two platforms for the majority of their revenue. In contrast, even creators with very large followings contribute only a negligible share of a platform's overall revenue.

COMMERCIAL RELATIONSHIPS SKEWED IN FAVOUR OF THE MAJOR PLATFORMS

The asymmetry in bargaining power between content creators and platforms is particularly evident in platforms' ability to unilaterally set the terms governing revenue sharing and content visibility.

Revenue sharing

Unlike in the case of related rights, platforms are not legally required to implement any revenue-sharing mechanisms with content creators. As a result, the existence of such mechanisms is at the platforms' discretion. The Autorité notes, for example, that Instagram has not introduced a revenue-sharing mechanism.

Access to such mechanisms is also generally subject to audience or activity thresholds, effectively excluding some creators.

Above all, the rules governing calculation and allocation are set unilaterally. Creators receive limited information about the underlying metrics (such as the number of views taken into account or the basis on which advertising revenue is calculated). This lack of transparency limits creators' bargaining power and reduces the predictability of their revenue.

Content visibility

Another major issue is visibility. Recommendation algorithms and moderation measures largely determine the success of content. Yet their functioning remains largely opaque.

Creators do not know the precise criteria used to promote content, nor the reasons behind a sudden decline in visibility or the imposition of a sanction. This lack of transparency creates a sense of uncertainty and dependence.

In its opinion, the Autorité warns platforms about certain practices which, if substantiated, could raise competition concerns, including:

- favouring certain content that is particularly profitable or advantageous to the platforms; or
- penalising commercial partnerships entered into directly between creators and advertisers, in order to encourage advertisers to maximise the budget allocated to purchasing advertising space from the platforms.

RECOMMENDATIONS TO RESTORE BALANCE

In its opinion, the Autorité makes several recommendations:

- increase transparency around revenue-sharing rules;
- improve the clarity of how algorithms and moderation measures function;
- ensure fair treatment of content;
- enable creators, whatever their profile, to have identified points of contact when issues arise;
- encourage support and training for creators.

Opinion 26-A-02 of 18 February 2026

In this opinion, the Autorité highlights that the creator economy has become a pillar of the audiovisual and digital sectors. It calls for the development of a more transparent and balanced framework, so that innovation, content diversity and creative freedom can fully flourish in a healthy competitive environment.

See the infographic summarising the structure of the online video content creation sector

Competition, one of the tools to combat the high cost of living

See the infographic on fines imposed for exclusive import rights in the French overseas territories

In island economies, ensuring effective competition can sometimes prove challenging. Strong structural constraints (including small market size and dependence on imports) limit the scope for competition, while some market players may exploit the resulting vulnerabilities to the detriment of consumers. In response, the Autorité is stepping up its monitoring and enforcement activities, while adapting to complex local realities. Through its interventions, it helps to restore fairer conditions of competition and enhance market transparency.

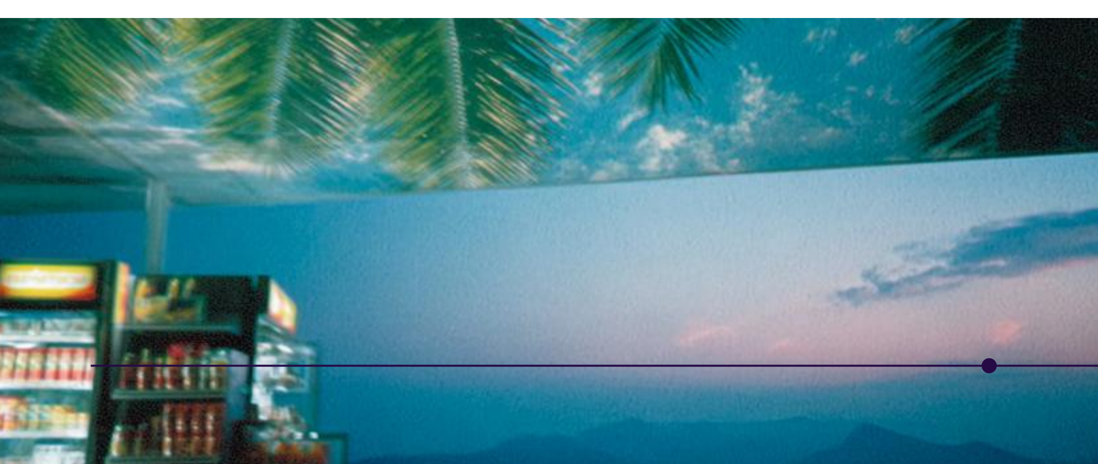
SUPERMARKETS IN MARTINIQUE: WHEN NON-COMPLIANCE WITH COMMITMENTS UNDERMINES COMPETITION

The fine imposed on the Parfait group illustrates a key principle of merger control: securing clearance for an acquisition is only the first step; strict compliance with any attached conditions is not optional. When acquiring the La Batelière hypermarket and shopping centre in Martinique, the group undertook to promptly divest certain assets in order to preserve competition. However, the divestiture was significantly delayed, during which time the assets depreciated in value.

The Autorité fined the group €7.6 million, not only for the delay but also for a strategy that undermined local competition. In an already concentrated market such as food retail in the French overseas territories, every operator counts: delaying a competitor's market entry can contribute to keeping prices high.

While the fine addresses the immediate violation, the broader issue is ensuring that merger commitments do not become mere formalities that can be circumvented. This is particularly critical in territories with limited alternatives, as compliance with commitments has a direct impact on consumers' purchasing power.

Decision 25-D-05 of 3 November 2025
(Decision under appeal)



MARTINIQUE: UNDERSTANDING THE DEEP-ROOTED CAUSES OF THE HIGH COST OF LIVING

At the request of the French government, the Autorité examined the sensitive issue of food prices in Martinique, which are significantly higher than in mainland France. Following its analysis, and contrary to a commonly held view, it did not attribute the problem solely to excessive margins, but rather identified a more complex reality.

The high cost of living stems from structural factors: insularity, dependence on imports, specific taxation, and high logistics costs largely explain the price disparities. In addition, the small size of the market limits competition and economies of scale. In light of these findings, the Autorité made a number of recommendations, including: deepening Martinique's regional integration within the Caribbean, clarifying the various rates of dock dues applied, and encouraging importers to revise how forwarding and other import-related costs are incorporated into the prices of certain low-value products, such as foodstuffs.

However, the Autorité also identified several market dysfunctions: a lack of transparency around margins, persistent exclusive import agreements, and insufficient resources for oversight bodies. To address these issues, the Autorité called for greater transparency and recommended strengthening the resources available to the Directorate General for Competition Policy, Consumer Affairs and Fraud Control (DGCCRF) and the Price, Margin and Revenue Observatories (OPMR). Enhanced monitoring of price and margin trends is essential, as without such visibility, public authorities cannot effectively address the high cost of living.

Opinion 26-A-01 of 10 February 2026

WALLIS AND FUTUNA: WHEN A PRIVATE OPERATOR ABUSES ITS POSITION VIS-À-VIS THE LOCAL GOVERNMENT

In a territory as remote as Wallis and Futuna, competition takes on a particular dimension. Following a complaint filed by the Prefect of the Territory of the Wallis and Futuna Islands, the Autorité imposed a fine of €148,094 (CFP 17,672,351) on BTP Sud for abusing its dominant position in the aggregates market, which is essential to the construction sector.

Specifically, the company had refused to supply the local government in the context of public procurement contracts and had imposed unjustified price increases, with the aim of obtaining concessions in relation to a previous commercial dispute. This type of practice is particularly problematic given the near-absence of alternatives locally.

This case highlights a structural vulnerability: in small markets, the dominance of a single entity can quickly translate into the ability to obstruct market functioning. Regulation is therefore essential to prevent private interests from overriding the public interest, particularly in key infrastructure sectors such as road construction and maintenance.

Decision 26-D-02 of 10 March 2026
(Decision may be, or may have been, subject to appeal)

ELECTRICAL CABLES: A RECORD FINE FOR IMPORT EXCLUSIVITY

In another significant case, cable manufacturer Nexans and its distributor Sonepar were fined for colluding to establish an import exclusivity arrangement for electrical cables in almost all of the French overseas territories (Martinique, Guadeloupe, French Guiana, Réunion and Mayotte).

Exclusivity arrangements, which have been prohibited in France for more than 10 years under the Lurel Act, restrict access to the market and limit competition. By preventing new players from entering the market, they contribute to keeping prices high. With a record €6.5 million fine, the Autorité sent a strong message and also highlighted the key role played by a whistleblower in bringing the practices to light.

Decision 26-D-04 of 2 April 2026
(Decision may be, or may have been, subject to appeal)

These cases show that, in the French overseas territories, competitive imbalances have a direct impact on everyday life.

They also highlight that, beyond fines, combating the high cost of living requires sustained action on market structures, transparency and oversight resources.

Fuel in Corsica

Fine for anticompetitive conduct that foreclosed the market

TotalEnergies Marketing France, two companies in the Rubis group, and EG Retail were fined €187.5 million for anticompetitive practices in the fuel distribution sector in Corsica. An agreement between the companies reserved access to fuel depots in Corsica exclusively for their benefit, in their capacity as shareholders, to the detriment of competitors and, ultimately, consumers.

A HIGHLY SPECIFIC FUEL MARKET IN CORSICA

The fuel supply market in Corsica has a number of distinctive characteristics. There are no refineries on the island, and only two depots provide fuel storage capacity. The depots operate under a pooling system, coordinated by Dépôts Pétroliers de la Corse (DPLC) and governed by a usage and operation agreement. In practice, products from different operators are physically mixed in the storage tanks.

Moreover, the sanctioned practices took place in a specific context characterised by:

- a highly concentrated market, with only three main players (TotalEnergies, Rubis/Vito and Esso/Ferrandi);
- the absence of large retail stores to stimulate competition between petrol stations (unlike on the mainland).

Fine of **€187.5 million**

AT THE CENTRE OF THE AGREEMENT, A CLAUSE

Between 2016 and 2023, the companies engaged in anticompetitive conduct through the implementation of a written depot usage and operation agreement, which reserved exclusive access rights to Corsican fuel depots for their sole benefit. In practice, a key clause in the agreement stipulated that only companies that were shareholders in DPLC could become parties to the agreement and, consequently, gain direct access to the facilities.

The inclusion of this clause constituted a genuine anticompetitive practice, as it reserved a strategic right of access exclusively for DPLC shareholders, thereby forcing non-shareholder operators to purchase fuel from their competitors.

> “Non-shareholder operators found themselves dependent on their direct competitors for their fuel supplies.

HIGHER COSTS FOR COMPETITORS

This system created a profound asymmetry between two categories of operators. On the one hand, DPLC shareholders were free to source and store their fuel under advantageous conditions. On the other, non-shareholder operators were required to purchase their fuel under imposed conditions and incurred higher costs as a result of the accumulation of several margins.

The Autorité considered that this unequal treatment, resulting from membership conditions that were not objective, transparent or non-discriminatory, was likely to have foreclosure effects to the detriment of non-DPLC shareholders, who were subject to less advantageous purchasing conditions than DPLC shareholders.

A DIRECT IMPACT ON CORSICAN CONSUMERS

The Autorité also found that these practices were likely to harm end consumers by leading to higher fuel prices at the pump in an already fragile competitive environment, characterised by the heavy reliance of Corsican households on cars for their travel needs.

> “The practices were likely to harm consumers by leading to higher fuel prices at the pump.

SUBSTANTIAL FINES FOR CONDUCT DEEMED TO BE SERIOUS

In view of the seriousness of the infringements, their duration and their potential impact on consumers, the Autorité imposed fines totalling €187.49 million:

- €115.82 million on TotalEnergies Marketing France;
- €64.67 million on Rubis group companies;
- €7 million on EG Retail.

In addition, the companies were ordered to publish a summary of the decision in *Corse Matin*.

Decision 25-D-07 of 17 November 2025 (Decision under appeal)

Watch the interview with Vivien Terrien, the Vice-President in charge of the case (in French)

Such anticompetitive practices are particularly harmful in island regions, where alternatives are limited and markets are more concentrated.

See the infographic on the case

Food retail

Supporting change

In just two years, more than 650 supermarkets have changed banner as the food retail sector in France has undergone significant restructuring, with successive waves of acquisitions. Through its merger control powers, the Autorité closely examines such large-scale transactions to ensure they do not lead to higher prices or reduced consumer choice. At the same time, buying alliances are also being closely monitored.

MERGER CONTROL: STORE DIVESTITURES SOMETIMES REQUIRED

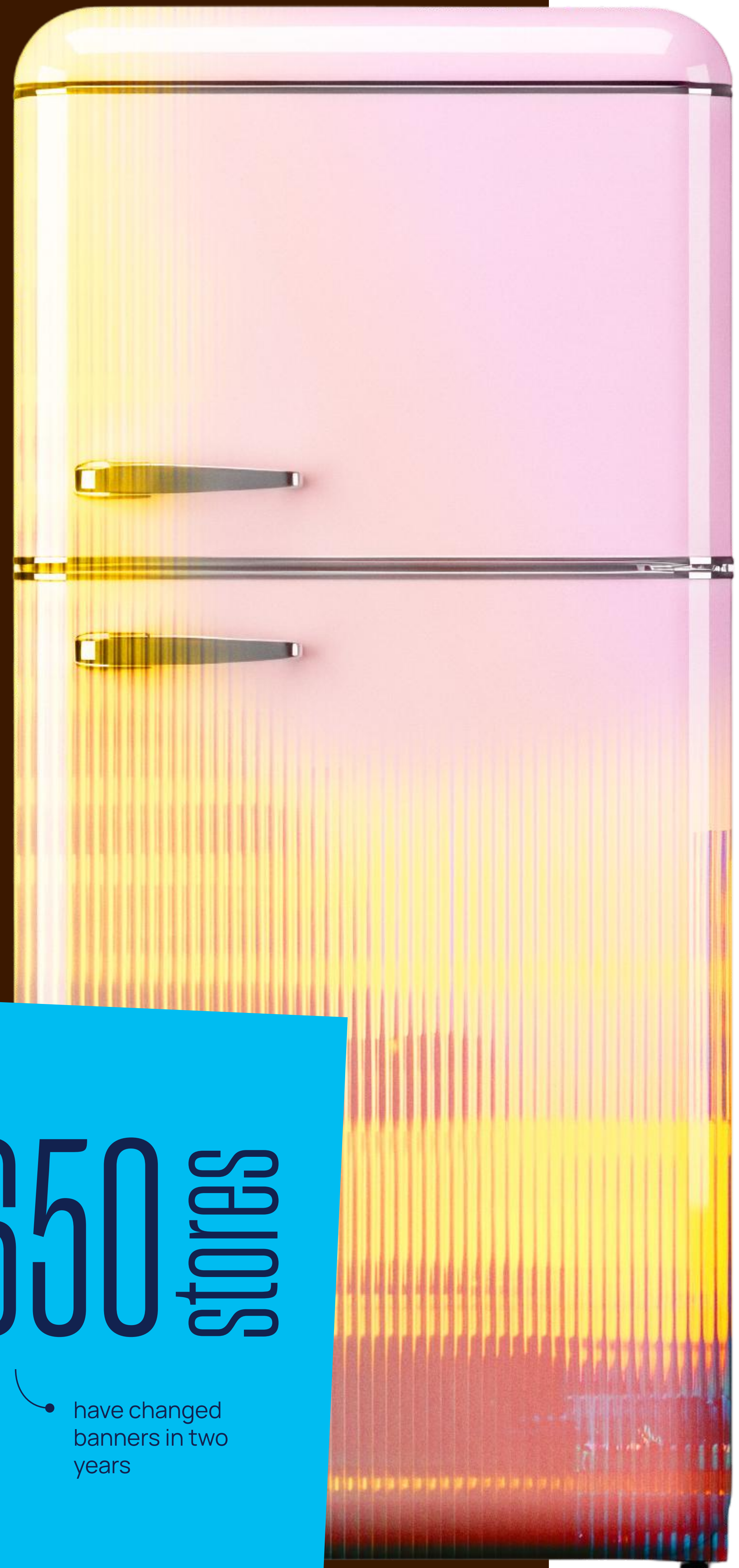
When a major retailer acquires stores from a competitor, the objective may be to improve efficiency or save struggling outlets. However, such transactions may also reduce competition at the local level.

This is precisely what the Autorité examines. Its assessment is not confined to the national level, but examines each area individually. For example, in a given town or neighbourhood, the Autorité evaluates whether consumers will continue to have sufficient retailer choice and, consequently, whether they will continue to benefit from effective competition and the ability to compare prices and offers.

LARGE-SCALE MERGERS UNDER SCRUTINY

In recent months, the Autorité examined several large-scale transactions:

- The acquisition of 186 Cora and Match stores by Carrefour *(Decision 25-DCC-56)*.
- The acquisition of 98 Casino stores by Auchan *(Decision 25-DCC-65)*.
- The acquisition of 19 Auchan Supermarché stores by Lidl *(Decision 25-DCC-214)*.
- The acquisition of 43 Colruyt stores by Groupement Mousquetaire *(Decisions 26-DCC-42, 43 and 51)*.



650 stores

have changed banners in two years

> A merger can be beneficial, provided it does not weaken competition in areas where consumers already have limited choice.

THE SOLUTION: TARGETED DIVESTITURES

In the vast majority of cases, the Autorité concluded that competition would remain sufficient. However, in certain areas, such as Aubagne, Marseille-La Valentine and, for organic products, Salon-de-Provence, it identified a risk of too few credible alternatives remaining after the transaction.

Rather than prohibiting a transaction outright, the Autorité may clear it subject to commitments. The most common commitment is the divestiture of a store to a competitor.

Overall, out of the more than 650 stores affected by a change of banner, only 28 had to be divested, representing less than 5%. These divestitures are intended to preserve the local competitive balance by ensuring a diversity of choice, service quality and competitive pricing pressure.

To ensure its remedies are effective, the Autorité goes a step further by approving the buyers and assessing whether they have the financial and operational capabilities required to operate the stores on a sustainable basis, including retaining existing staff.

> Ensuring that consumers have sufficient alternatives, store by store.

BUYING ALLIANCES: MERGERS UNDER SCRUTINY

Beyond the stores themselves, another factor affecting prices is buying alliances: upstream partnerships between retailers, formed to negotiate purchases jointly with suppliers.

By pooling their volumes, retailers seek to secure better pricing conditions. However, this consolidation of purchasing power can also place significant pressure on certain suppliers, particularly medium-sized companies (*entreprise de taille intermédiaire* – ETI).

The example of AURA

In 2024, Intermarché, Auchan and Casino formed an alliance known as "AURA". This alliance, which covered a large number of suppliers, was notified to the Autorité in accordance with the French Commercial Code. The Investigation Services identified risks for several suppliers, particularly ETIs included in the common scope of negotiation. At the Autorité's request, these companies were excluded from the alliance and are now therefore subject to separate negotiations.

Press release of 26 November 2025

A new tool: the competitive assessment

For the first time, the Autorité has decided to launch a competitive assessment of two major alliances: AURA (Auchan/Casino) and CONCORDIS (Carrefour/Coopérative U and a German partner).

The aim is to assess not only the effects on suppliers (upstream market), but also on consumers (downstream market):

- Do the alliances actually lead to lower prices on the shelves?
- Do the alliances reduce innovation or product diversity?
- Do the alliances encourage standardisation of purchasing terms?

This assessment, provided for under the law, will enable the Autorité to assess the actual effects of the alliances in practice, rather than simply their intended effects.

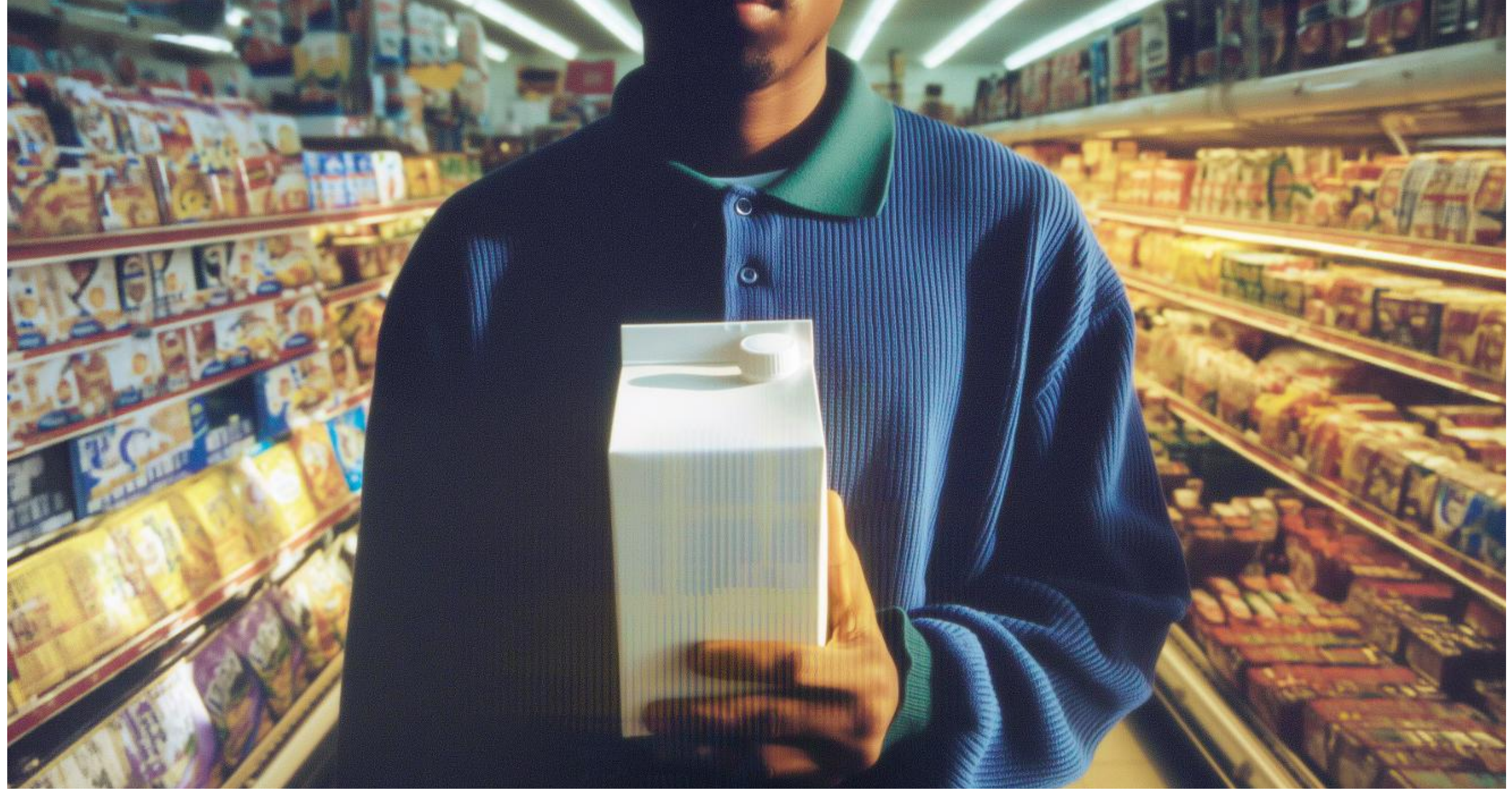
Press release of 9 January 2026

Between mergers and buying alliances, the French food retail sector is undergoing rapid transformation. For the Autorité, the challenge is twofold: to enable companies to adapt to a challenging economic environment while preserving effective competition.

The objective remains clear: to ensure that consumers have genuine choice and competitive prices.

Consumer product rating systems

Overview and guidance for stakeholders



Product and service rating systems – including apps, labels, and colour-coded or A-to-E scales – have become increasingly widespread in recent years, helping consumers to make informed choices. As their influence on purchasing decisions continues to grow, however, they also raise significant competition concerns. Following several months of consultation, the Autorité published an opinion setting out recommendations to improve the governance of these systems, prevent potential abuses, and ensure the information provided is reliable, transparent and fair.

TOOLS THAT HAVE BECOME CENTRAL TO GUIDING CONSUMER CHOICE

Faced with an abundance of information on product composition, environmental impact and manufacturing conditions, consumers are looking for simple, easy-to-understand indicators. Rating systems fulfil this role by distilling complex information into clear, accessible ratings, expressed through numbers, letters or colours.

In its opinion, the Autorité notes that rating systems address a genuine need by guiding consumers in their purchasing decisions, encouraging business to innovate and improve the quality or sustainability of their products, and promoting competition on factors other than price.

> “By providing simplified, easy-to-understand information, rating systems can help to stimulate competition.

A GROWING INFLUENCE REQUIRING SAFEGUARDS

By influencing consumer decisions, rating systems now have a real economic impact. In its opinion, the Autorité therefore emphasises the particular responsibility of their publishers. Developing a rating involves selecting criteria, determining their weighting, and choosing the underlying data. Each of these steps must be based on a robust, transparent methodology and reliable information.

The more effectively a rating differentiates products, the more easily consumers can compare products and the more the rating system can help to stimulate competition. Conversely, systems that assign very similar ratings to the majority of products may reduce competitive pressure, especially where such ratings result from collusion between competing companies.

In its opinion, the Autorité therefore highlights the risks associated with rating systems developed collectively by competitors, particularly where such systems eliminate differentiation based on merit, which could be considered to constitute an anti-competitive agreement.

TRANSPARENCY AND INDEPENDENCE: KEY REQUIREMENTS

To ensure that consumers can make informed choices, the Autorité emphasises the importance of transparency. Publishers of rating systems must clearly explain:

- who funds the system;
- how the system is governed;
- which criteria are used;
- how data is collected and updated.

A robust and reliable methodology is essential to ensure that rating systems benefit both consumers and rated companies. All information used to calculate ratings must be easily accessible to companies, which should also have the ability to report errors or product changes that may require rating updates.

> “The information provided must be clear, accessible and enable users to understand how the rating is calculated.

ACCESS TO DATA, DISPARAGEMENT AND LOBBYING: RISKS TO MONITOR

In its opinion, the Autorité also examines several sensitive practices. Firstly, access to data: refusing access to certain essential databases may, in some cases, raise competition concerns.

Secondly, the Autorité addresses practices that could constitute disparagement. While assigning a low rating to a product containing an authorised but controversial substance is not automatically unlawful, this type of practice must be assessed carefully, taking into account freedom of expression and the context of public debate, particularly on health-related issues.

Lastly, the Autorité highlights the risks associated with certain lobbying practices involving public rating systems. Although lobbying is legitimate, concerns may arise where stakeholders coordinate to spread misleading information in order to influence public decision-making.

SELECTIVE DISCLOSURE AND COMMERCIAL POWER DYNAMICS

The Autorité also examines the practice of selective disclosure of ratings. The display of exclusively positive ratings while concealing negative ones undermines the fundamental purpose of rating systems and restricts consumers' ability to make informed comparisons. Where this type of practice results from coordination between companies, it may become anticompetitive.

Similarly, the imposition of a rating system by a dominant player, such as a retailer on its suppliers, may raise competition concerns, particularly when coupled with unfair or discriminatory conditions, most notably between own-brand and competing products.

Opinion 25-A-01 of 9 January 2025

STRIKING A BALANCE BETWEEN SUSTAINABILITY AND COMPETITION

In this opinion, the Autorité reiterates that consumer protection and sustainability objectives may justify certain practices, provided they are proportionate, transparent and in the public interest.

Rating systems are useful and legitimate tools, but their success must not come at the expense of healthy, fair competition.

Electricity market

Two key opinions to prepare for the post-ARENH framework

As France undertakes a far-reaching reform of its electricity market, the Autorité and the French energy regulator (*Commission de régulation de l'énergie* – CRE) outlined their views, in a joint letter to the French government in 2024, on the conditions for fair competition and effective consumer protection. At the end of 2025, with the electricity market entering a new phase following the end of the ARENH mechanism, the Autorité was asked to examine the new mechanisms intended to shape the future market framework: the capacity mechanism and the universal nuclear payment (VNU). The purpose of the opinions was to ensure the reforms would not undermine competition or impose an undue burden on consumers.

A TURNING POINT: THE END OF ARENH AND THE REFORM OF THE MARKET

For more than 10 years, the ARENH mechanism gave alternative suppliers access to part of EDF's nuclear output at a regulated price, with the aim of fostering competition and protecting consumers. The mechanism came to an end in 2025, ushering in a new phase for the market.

In this context, the French government embarked on a wide-ranging reform to strike a balance between several objectives:

- ensuring security of supply;
- protecting consumers from price volatility;
- preserving EDF's ability to invest.

As part of this reform, the Autorité was asked to provide opinions on two draft decrees at the end of 2025.

THE CAPACITY MECHANISM: SECURING SUPPLY… AT WHAT COST?

The capacity mechanism is designed to ensure that France always has sufficient electricity supply, particularly during winter peak demand periods. Until now, electricity suppliers had to cover their capacity obligations and anticipate customer needs by purchasing capacity guarantees from operators.

However, the reform introduces a major change: the existing system will be replaced by a centralised model structured around the French electricity transmission system operator (*Réseau de transport d'électricité* – RTE), an EDF subsidiary, which will forecast national peak demand and organise coverage by directly purchasing the necessary capacity.

While this new model may simplify the mechanism, the Autorité nevertheless identified several areas for attention:

- a potential impact on consumer bills;
- limited incentive for consumers to reduce their consumption during peak periods;
- the central role played by RTE, which should be subject to enhanced monitoring by the CRE to prevent any risk to competition.

Opinion 25-A-14 of 12 December 2025

THE UNIVERSAL NUCLER PAYMENT (VNU): LESS AUTOMATIC PROTECTION

The second opinion concerned the universal nuclear payment (VNU), which is scheduled to replace the ARENH mechanism from 2026.

The principle is simple: when electricity prices rise sharply, part of EDF's revenues from nuclear generation is collected through a tax and then redistributed to consumers in the form of an individual reduction on their bills. Like the ARENH mechanism, the VNU aims to ensure that consumers benefit from the unique characteristics of nuclear power generation, namely electricity that is available at all times, at a stable and predictable cost.

From the Autorité's perspective, the VNU has several limitations:

- it would only be triggered in the event of a very significant increase in prices, thus providing less day-to-day protection, as nuclear revenues would not be redistributed outside these periods;
- it would not apply to winter consumption between October and April, potentially disadvantaging households, particularly during the winter period, given that heating is, by its nature, consumption that cannot easily be shifted;
- lastly, applying individualised price reductions to each customer could generate additional costs for electricity suppliers.

In light of these uncertainties, the Autorité made several recommendations:

- conduct a comprehensive review after three years to assess the effects of the VNU on consumers and suppliers;
- conduct an audit of the costs incurred by electricity suppliers in implementing the mechanism;
- invite EDF to consider the impact of the VNU on covering the costs associated with historic nuclear generation.

Opinion 25-A-16 of 23 December 2025

These two opinions come at a pivotal moment for France's electricity market, highlighting the challenge of balancing several objectives: energy security, the ecological transition, competition and consumer protection.

The success of the reform will now depend on its practical implementation. Behind these technical mechanisms lies a fundamental issue: ensuring that electricity remains affordable and accessible to all.

Assessment and outlook

Ten years after the 2015 Law on Growth, Economic Activity and Equal Economic Opportunities (also known as the "Macron Law"), the Autorité conducted a comprehensive review of the reforms introduced in the regulated legal professions and put forward a number of new recommendations. While the impact of the reforms on freedom of establishment has been broadly positive, the regulation of fees remains an area for further improvement.

TEN YEARS AFTER THE REFORM: TIME TO TAKE STOCK

The 2015 Law had two objectives: to facilitate access to regulated legal professions – notaries, bailiffs (now commissioners of justice), court registrars, court-appointed administrators, and lawyers at the French Administrative Supreme Court (*Conseil d'État*) and the French Supreme Court (*Cour de cassation*) (hereinafter "lawyer at the Courts") – and to bring regulated fees closer to actual costs, while ensuring reasonable remuneration.

A broadly positive assessment of freedom of establishment

Greater openness, increased representation of women and younger professionals

With regard to opening the regulated legal professions to new professionals, the overall assessment is positive. Since 2016, the number of offices and professionals has increased significantly. The number of notary offices has risen by 64%, while the number of notaries has increased by 42%. The number of lawyers at the Courts has also risen, with 11 new offices created since 2017.

The greater openness of the professions has also improved access for women and recent graduates. The proportion of women professionals has increased significantly, particularly among notaries and commissioners of justice. The introduction of a mandatory retirement age of 70 for notaries and commissioners of justice, combined with the arrival of younger entrants, has contributed to a modest reduction in the average age of professionals.

Sound financial position

According to the Autorité's analyses, offices established prior to the reform remain in a sound financial position and have not been significantly affected economically. By contrast, newly established offices face greater financial challenges than offices of a comparable age established before 2017 and take longer to achieve economic viability.

The Autorité noted that offices established as part of the reform generally require three to five years to achieve profitability, which explains why some offices established during the most recent waves of establishment continue to experience economic difficulties.

Certain professions, such as lawyer at the Courts, continue to enjoy high levels of profitability (margins exceeding 40% in recent years, with average earnings per lawyer approaching €439,000).

Areas for improvement

In its opinion, the Autorité suggests a number of areas for improvement, including revising the methodology used to calculate quantitative recommendations, extending the principle of freedom of establishment to Alsace-Moselle, reducing the frequency of opinions on freedom of establishment, and revising the scope of notaries' legal monopoly as well as the conditions for entering the profession of lawyer at the Courts.

A mixed assessment of fee regulation

With regard to fees, the assessment is more mixed. While the savings made by consumers in certain areas – for example, on property transactions (estimated at €612 million between 2016 and 2023) – are a welcome development, uncertainties remain more generally regarding the methodology used to revise regulated fees.

Furthermore, the reductions observed appear insufficient to bring fees into line with costs, as intended by the legislator. The extent of the reductions varies considerably between professions and has not necessarily been accompanied by a reduction in professionals' margins or, consequently, by a closer alignment of fees with costs, which was the legislator's initial objective. The Autorité also found that discounts remain underused as a means of differentiation between professionals.

Recommendations

The Autorité recommends that the methodology for revising fees should be clarified, particularly with regard to how the concepts of "relevant costs" and "reasonable remuneration", as referred to in the legislation, are taken into account.

It also suggests that the French government should explore the introduction of a new fee-setting methodology, involving automatic and proportional fee reductions according to a predefined timetable, with a view to achieving the 20% profitability target set by the French Commercial Code for each profession (some of which are currently operating at significantly higher levels).

Opinion 25-A-09 of 31 July 2025

THE NEW ESTABLISHMENT MAPS

Alongside its assessment of the 2015 reforms, and in accordance with the prescribed timetable, the Autorité also reviewed the professions of notary, commissioner of justice and lawyer at the Courts, in order to propose new establishment maps to the French government for the establishment of new professionals.

The new proposals

In 2025 and early 2026, the Autorité issued recommendations on freedom of establishment for the coming period, profession by profession.

With regard to commissioners of justice, the Autorité proposed a map covering – for the first time – a five-year period (2026-2031), recommending the establishment of 41 new professionals in 13 areas.

Opinion 25-A-17 of 26 December 2025, published in the Official Journal of 24 December 2025

With regard to notaries, the Autorité also proposed a five-year map (2026-2031), recommending the establishment of 261 new professionals in 82 areas.

Opinion 26-A-03 of 25 February 2026, published in the Official Journal of 24 December 2025

Lastly, with regard to lawyers at the Courts, the Autorité recommended the creation of a single additional office for 2025-2027 and also proposed easing the conditions for entry to the profession.

Opinion 25-A-06 of 16 April 2025, published in the Official Journal of 20 April 2025

Ten years after the reform, the Autorité confirmed the merits of a gradual and carefully managed liberalisation of the regulated legal professions. While the reform of freedom of establishment has broadly achieved its objectives, the regulation of fees remains a key area requiring further attention.

Striking the right balance between competition, quality of service and economic viability will remain a key challenge in the years ahead.

Guidance for a strategic sector

As a key enabler of agricultural production, the French agricultural equipment sector warrants particular attention, owing to its high level of concentration and the economic significance of certain types of equipment, notably tractors. The Autorité issued an opinion to the Economic Affairs Committee of the French Senate on the competitive functioning of the sector, setting out a series of recommendations aimed at striking an appropriate balance between innovation, farmers' choice and the vitality of distribution networks.

TRACTORS: THE MAINSTAY OF THE AGRICULTURAL EQUIPMENT SECTOR

Tractors account for around 40% of turnover in the agricultural equipment sector and represent the largest item of mechanisation expenditure for French farms. With an average of three to four tractors per farm, tractors are essential to agricultural production, and their cost has a direct impact on farmers' competitiveness. Since 2020, tractor prices have risen sharply. While this reflects the broader inflationary environment, it is also driven by farmers' growing needs, notably in terms of tractor power and connected services, as well as the introduction of new standards.

> Traction is the largest item of mechanisation expenditure, accounting for a quarter of farmers' operating costs.

UPSTREAM (MANUFACTURING): AN OLIGOPOLISTIC MARKET

Tractor manufacturing is dominated by four major players (AGCO, John Deere, CNH and CLAAS), which account for nearly 90% of the market. The sector is characterised by significant barriers to entry, stemming from the costs of technological development and the need for an extensive distribution and after-sales service network. Transparency in the sector, facilitated by the dissemination of tractor registration data by the French National Agency for Secure Documents (*Agence nationale des titres sécurisés*), also calls for particular vigilance in view of the risk of exchanges of commercially sensitive information.

DOWNSTREAM (DISTRIBUTION AND REPAIR): LIMITED COMPETITION

The downstream markets for distribution and repair are structured around territorial exclusivity clauses. A dealer is often the sole authorised provider for the sale or repair of a given brand within a particular area, limiting intra-brand competition. While inter-brand competition is generally satisfactory, as the networks of the main manufacturers cover most of France, it cannot be ruled out that, in certain rural areas, the range of offers available to farmers may be very limited.

In the repair market, competition is even more limited. The advantage enjoyed by authorised dealers is reinforced by their preferential access to original spare parts, software and technical training. In its opinion, the Autorité emphasises that operators must take care not to hinder the competitive functioning of the market, for example by favouring members of their distribution networks in access to the inputs required for maintenance and repair operations.

RELATIONSHIP BETWEEN MANUFACTURERS AND DEALERS

The Autorité notes that various clauses in dealer agreements may restrict intra-brand competition, which is already very limited due to the existence of territorial exclusivity clauses (obligation for dealers to purchase exclusively from the supplier, restrictions on dealers' ability to acquire shares in companies marketing competing brands, provisions indirectly aimed at limiting sales outside the contractual territory, etc).

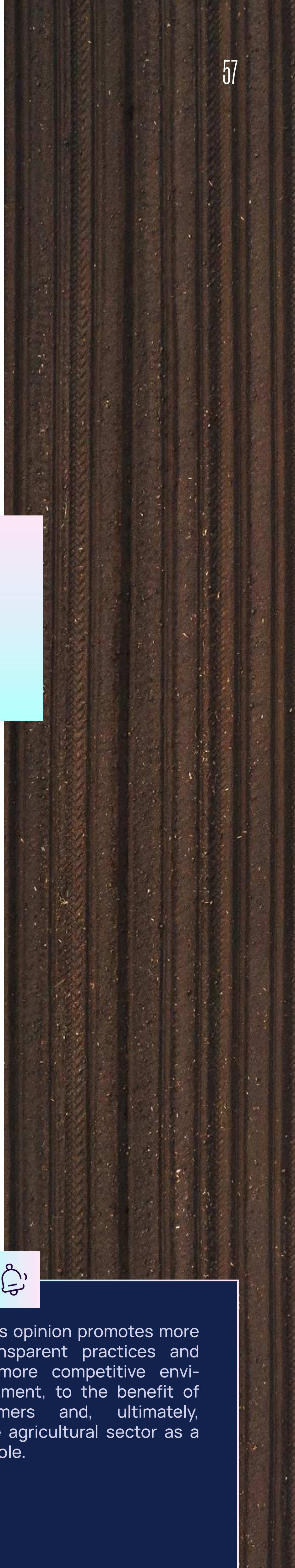
The Autorité considers that such practices could hinder the competitive functioning of the downstream tractor distribution market and that, moreover, the multiplication of exclusivity obligations imposed on certain distributors could result in a cumulative effect raising competition concerns.

The Autorité therefore invites manufacturers to clarify certain clauses and to inform their distributors of their rights and obligations (particularly with regard to passive sales).

The Autorité also notes that single-branding obligations, which require distributors to sell only the tractor brand of the manufacturer with which they have entered into a dealer agreement, combined with exclusive supply obligations, significantly restrict distributors' ability to diversify.

Lastly, the Autorité draws manufacturers' attention to the risks of abuse of economic dependence, which may in particular arise from clauses prohibiting shareholdings in companies marketing competing brands, as well as from listing obligations.

Opinion 25-A-15 of 18 December 2025



This opinion promotes more transparent practices and a more competitive environment, to the benefit of farmers and, ultimately, the agricultural sector as a whole.

Back to the future

What lies ahead?

Explore the challenges, trends and transformations that are shaping the economic landscape. Through a forward-looking approach, the Autorité seeks to anticipate future challenges and understand emerging competitive dynamics.

Higher thresholds, a new approach to merger control

French merger control is entering a new phase. With the adoption of the Economic Simplification Bill in April 2026, the legislator introduced a significant change by raising notification thresholds in order to reduce the burden on businesses. In parallel, the Autorité is continuing its work towards the introduction of a targeted call-in power for reviewing potentially problematic transactions that fall below the thresholds, while preserving legal certainty.

MODERNISED THRESHOLDS TO REFLECT ECONOMIC REALITIES

Since their introduction, the merger control thresholds had never been revised. Yet, over the past 20 years, the economic landscape has changed significantly, with cumulative inflation of nearly 40%, cumulative nominal GDP growth of 65%, and a broad-based increase in businesses' turnover.

In the absence of updates, the thresholds had gradually lost their relevance. An increasing number of transactions were subject to notification, including those that did not raise genuine competition concerns. Between 2010 and 2025, the number of cases reviewed increased significantly (+59%), tying up significant resources on transactions that were often of limited competitive significance.

The reform adopted in 2026 addresses this misalignment. The thresholds have been raised significantly: the total global turnover threshold has increased from €150 million to €250 million, while the national threshold (for at least two undertakings) has risen from €50 million to €80 million. The specific thresholds applicable to the retail sector have also been increased.

The thresholds applicable to the French overseas territories remain unchanged, in order to maintain a high level of scrutiny in economies where merger issues are particularly sensitive.

In concrete terms, between 20% and 30% of transactions currently subject to notification will no longer be notifiable. For businesses, the impact will be immediate: fewer formalities, lower costs and shorter timelines.

For the Autorité, the benefits are equally significant. By reducing the number of transactions subject to notification, the new thresholds will enable the Autorité to focus its resources on the most complex cases and on those most likely to affect competition. *(Press release of 16 April 2026)*

THE CALL-IN POWER: CLOSING A GAP IN MERGER CONTROL

French merger control will therefore continue to operate on the basis of a prior notification requirement for transactions exceeding certain turnover thresholds. This framework, designed to provide businesses with clarity and predictability, is based on the premise that turnover is an appropriate indicator for identifying the transactions that are most economically significant.

However, this assumption is increasingly being put to the test. Many businesses today create value long before generating significant turnover. Acquisitions of start-ups or innovative, fast-growing companies may therefore fall below merger control thresholds, while still having the potential to permanently alter the competitive structure of certain markets, particularly in the digital, healthcare and biotechnology sectors. For example, the acquisition of a young company developing a promising but not yet profitable technology may have major implications for future competition if carried out by a dominant company seeking to "kill" competing innovation in its sector.

In practice, a call-in power would enable the Autorité to review certain transactions that fall below the thresholds but may pose a risk to competition. Without such a power, these transactions may currently escape scrutiny. This power already exists in 10 Member States, while a further 14 are considering its introduction.

Following a public consultation, the Autorité is now focusing its work on a call-in power that would enable targeted intervention, based on a set of clear, cumulative criteria:

- an identifiable turnover threshold;
- a sufficient nexus with France;
- a demonstrable risk to competition;
- short intervention timeframes.

Any future introduction of a call-in power would be accompanied by guidelines to provide businesses with greater clarity. *(Press releases of 14 January and 10 April 2025)*

A NEW BALANCE BETWEEN SIMPLIFICATION AND VIGILANCE

The introduction of a call-in power, combined with higher notification thresholds, would create a more targeted merger control regime while preserving the ability to review transactions that raise genuine competition concerns.

The objective is clear: to review fewer transactions, but more effectively, by focusing on those that will shape tomorrow's competitive landscape, without hindering innovation or growth.

EUROPEAN REFORM: ADAPTING MERGER CONTROL TO A CHANGING ECONOMY

At European level, the European Commission has launched a review of its guidelines to better reflect changes in the economy, particularly the growing importance of innovation and intangible assets.

The objective is to refine competition analysis by taking greater account of growth potential and acquisition strategies in innovative sectors, without discouraging investment.

Finding a balance as AI gains momentum

Artificial intelligence (AI) is gradually becoming a foundational technology of the digital economy. Tools capable of generating text, images and code are rapidly spreading across many sectors and into everyday life. Competition between AI model developers is no longer focused solely on model performance, but increasingly also on control over integrated technology ecosystems that combine computing infrastructure, access to energy, data, software and user interfaces. This shift is reshaping the balance of economic power, creating new sources of market power and requiring competition law to adapt to a landscape in which technology, industry and public policy are becoming closely intertwined.

A SECTOR STILL DRIVEN BY STRONG INNOVATION

Since the rapid and highly visible emergence of generative AI in the public sphere, following the launch of ChatGPT 3.5 in November 2022, the technology has continued to advance. According to the 2026 AI Index Report published by Stanford, several leading foundation models, also known as Large Language Models (LLMs), released in 2025 now match and, in some cases, exceed human baselines on particularly demanding tasks, including PhD-level scientific questions, multimodal reasoning (text, images, audio, etc.), and advanced mathematical problems (such as competition-level problems).

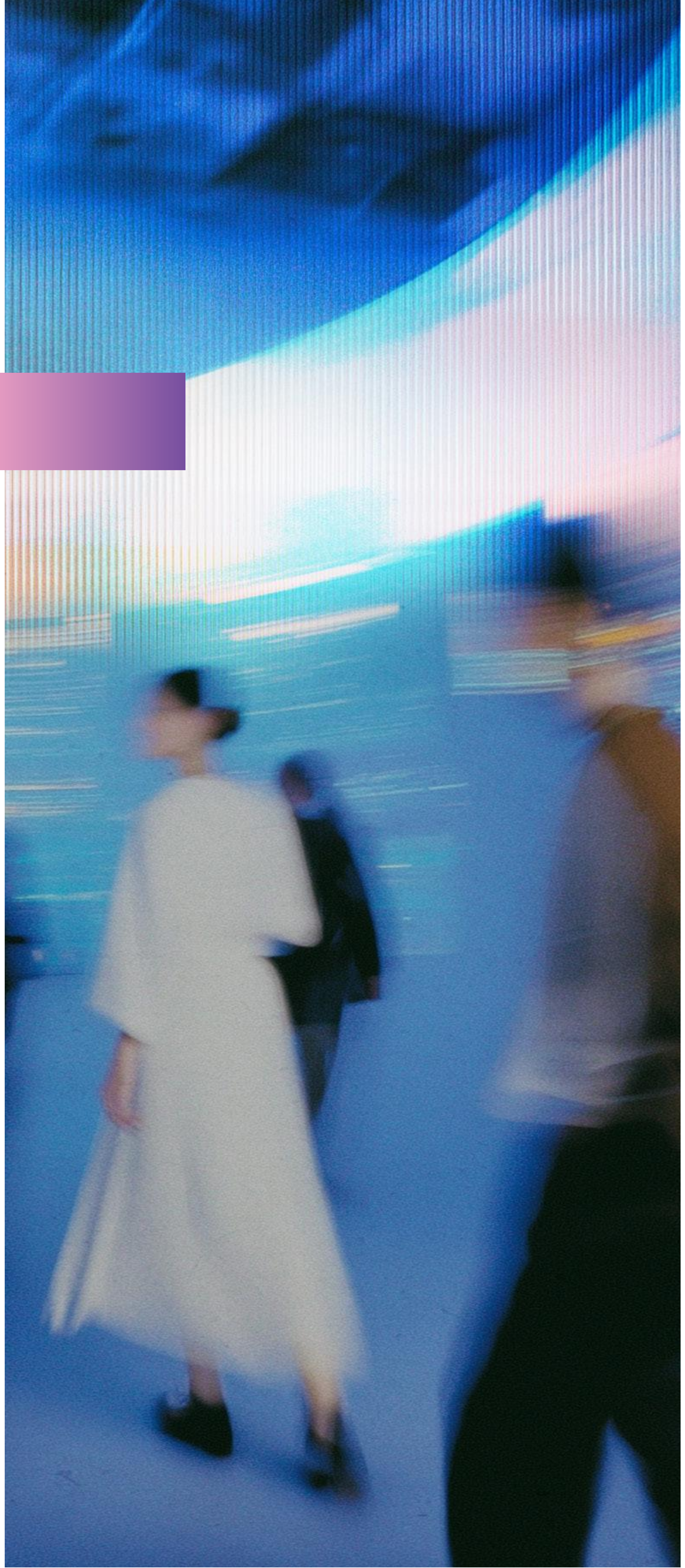
This innovation dynamic is no longer reflected solely in increases in model size or computing power, but can now also be seen across several complementary dimensions, notably multimodality, enhanced reasoning capabilities, and the emergence of agentic systems.

Multimodality is fundamentally transforming the role of generative AI, which is evolving from a tool primarily focused on text generation into a general-purpose interface capable of processing diverse types of content within a unified framework, including text, audio, images, video and code. Native multimodal models can therefore process several formats simultaneously, within significantly expanded context windows that can now reach several million tokens.

At the same time, reasoning models are playing an increasingly important role in the sector's evolution. The focus is no longer solely on improving conversational fluency or increasing model size, but also on enhancing their ability to approach problems in a structured way before generating a response. Reasoning models stand out for their ability to break tasks down into multiple steps, perform intermediate operations, and maintain overall coherence when solving complex problems.

Lastly, the start of this year marked the beginning of a new phase with the emergence of agentic systems. Models are no longer limited to responding to prompts or generating content; they are now designed to perform, with greater autonomy, a series of goal-oriented actions, whether searching for information, using tools, executing specific tasks or adjusting their behaviour based on the results obtained. Building on advances in multimodality and reasoning, this development is transforming the very nature of AI applications, particularly in e-commerce.

Generative AI is therefore moving beyond the role of a conversational assistant to become a fully-fledged digital operator that can be integrated into more comprehensive workflows.



CONTROL OVER THE SECTOR'S ESSENTIAL INPUTS BY A FEW MAJOR PLAYERS

In this environment, economic value is shifting and increasingly being shaped by vertical integration dynamics, namely the ability of a single company to control several levels of the value chain, from technical infrastructure to consumer-facing services.

Companies that can simultaneously control AI models, computing infrastructure, cloud services and user interfaces hold a significant competitive advantage.

This trend echoes developments previously observed in the digital economy, when major platforms gradually built complete ecosystems around their services. AI could amplify this phenomenon by becoming the core technological layer underpinning a wide range of products and services.

At European level, these concerns have led to the introduction of new regulatory instruments, such as the Digital Markets Act (DMA), which is intended to address certain behaviours by dominant players in digital ecosystems.

THE KEY ROLE OF THE CLOUD

Beyond the major digital players and a small number of companies that have their own very large-scale data centres, cloud computing has become an almost unavoidable gateway to the computing power required to train and run inference on large foundation models.

The Autorité analysed the cloud sector in an opinion published in 2023. This opinion highlighted several cross-cutting competition risks, including limited bargaining power in contractual negotiations, the use of cloud credits, and the application of egress fees. The Autorité also identified specific competition risks linked to the migration of on-premises information systems to the cloud, switching from one cloud service provider to another, and barriers to expansion for competitors associated with the three major players in the sector: Amazon Web Services, Microsoft Azure and Google Cloud Platform. *(Opinion 23-A-08 of 29 June 2023)*

Today, the cloud provides developers with access to AI-specific infrastructure and platform services tailored to their needs, without requiring significant upfront investment in their own computing capabilities. It also plays a key role downstream as a distribution channel for models, notably through marketplaces. *(Opinion 24-A-05 of 28 June 2024)*

Beyond the competition risks identified, the Autorité recommended that public authorities should expand access to computing power, for example through the use of public supercomputers.

The Autorité will continue to monitor developments in the sector closely and assess whether potential enforcement action is warranted in light of the information received during its public consultation on self-preferencing practices. *(Report submitted to the French parliament and government on its work in the area of self-preferencing; Press release of 21 November 2025)*

Several regulatory initiatives also aim to establish a framework for practices in the sector, including the French law to secure and regulate the digital space (SREN), on which the Autorité issued an opinion in 2023 *(Opinion 23-A-05 of 20 April 2023)*, and the European Data Act.

NEW COMPETITION ISSUES SURROUNDING THE ENERGY AND ENVIRONMENTAL IMPACT OF AI

The impact of AI, which has become a major issue for the sector, raises competition questions that have yet to be thoroughly examined.

The development of AI now depends as much on computing power as on the availability of the infrastructure and energy required to operate AI systems. Training and running models require very large-scale data centres, which can consume as much electricity as some industrial facilities.

Specialised semiconductors, data centres and access to abundant energy are thus becoming critical resources. Control over these resources may confer a significant competitive advantage, particularly for players with the capacity to invest at scale.

Training certain large models can, for example, require thousands of specialised processors running for several weeks, involving substantial computing and energy resources.

The significant energy and environmental impact of AI prompted the Autorité to publish a study assessing the associated competition issues. This study groups the issues into three broad categories.

The first issue relates to access to energy, particularly connection to the power grid in France and control over energy costs.

The second issue relates to the emergence of frugality as a competitive parameter. While AI relies on increasingly powerful infrastructure, researchers, public authorities and companies are exploring new approaches based on more specialised or lighter models that can support smaller-scale deployments or leverage existing infrastructure. These strategies can sometimes deliver comparable performance with significantly fewer resources, but their development must not be hindered by players' behaviour.

The third issue concerns the standardisation of AI's environmental footprint. Here again, the Autorité will pay close attention to how standards are developed and adopted, to ensure they do not unduly favour certain players. *(Study, Competition issues surrounding the energy and environmental impact of artificial intelligence; Press release, 17 December 2025. For more details, see p. 40)*

THE AGENTIC REVOLUTION

As noted above, conversational assistants and digital agents are now able to search for information, compare offers, make purchases and manage certain interactions with online services.

These tools are spreading rapidly, and their use has grown significantly in recent years.

In this new model of "conversational commerce", users could interact with an algorithmic intermediary responsible for managing their entire purchasing journey.

An AI agent could, for example, search for a flight, automatically compare available offers and make the booking without the user needing to visit any of the different e-commerce websites directly.

These systems are therefore evolving from simple response tools into fully-fledged platforms for accessing third-party services, enabling actions such as purchases, bookings or payments to be carried out directly through the conversational interface.

This development raises several questions for competition law. Who controls the visibility of offers? What criteria are used to rank recommendations? Could the intermediary role played by these agents affect market access for sellers and service providers?

The growing use of autonomous systems in commercial interactions also raises the risk of algorithmic coordination, i.e. the possibility that systems may automatically adjust their behaviour based on market observations.

In anticipation of these developments, the Autorité launched an own-initiative inquiry (*ex officio*) into the competitive functioning of the conversational agents sector in 2026, including a broad public consultation in the early part of the year to gather stakeholders' views (including those of generative AI service providers, cloud service providers, e-commerce companies, customers, etc.) on the competitive landscape in France. *(Press releases of 9 January and 29 January 2026)*

THE GROWING PRESENCE OF AI ACROSS ALL SECTORS

AI is no longer limited to traditional digital interfaces. It is gradually becoming integrated into many everyday objects and infrastructures, including vehicles, industrial equipment, medical devices and automated systems.

This expansion is also reshaping the competitive landscape. Technical decisions made upstream, such as technological standards, software architectures or data access arrangements, can have a lasting impact on market structures and the conditions for new entrants.

As a result, AI is beginning to influence both the Autorité's advisory work and its decision-making practice, including on issues where it is not the primary focus.

For example, in an opinion on the content creator sector, the Autorité examined the impact of AI on social media platforms. In particular, it analysed the rise of generative AI and its influence on competition between different types of content, and recommended that AI-generated content be clearly identified, as the fact that content has been created using AI can constitute a competitive parameter. *(Opinion 26-A-02 of 18 February 2026)*

Lastly, in the press related rights case involving Google, the Autorité examined, in light of the commitments undertaken by Google, the use of press content to train Google's AI system Gemini (formerly Bard). *(Decision 24-D-03 of 15 March 2024)*

ANTICIPATING NEW FORMS OF ECONOMIC POWER

As AI becomes a key driver of productivity and growth, the concentration of economic power is taking on renewed significance.

Computing infrastructure, data, consumer access interfaces and investment capacity all represent potential points of control.

As these new sources of economic power emerge, the role of competition authorities is evolving. Their remit is no longer limited to sanctioning anticompetitive conduct after the fact, but also involves identifying the trends that are likely to shape the markets of tomorrow.

The development of AI therefore presents competition law with a significant challenge: supporting innovation while preserving an open and dynamic competitive environment.

Finding a new balance

Consumer behaviour in supermarkets is changing rapidly, driven by inflation, evolving consumer expectations, and broader changes in the commercial landscape. At the same time, the food retail sector is undergoing significant restructuring, with store acquisitions and the formation of alliances between retail banners. Competition law has a key role to play in preserving effective competition, providing an appropriate framework for market restructuring, and supporting new forms of cooperation, particularly those aimed at advancing sustainability objectives.

A SECTOR UNDER PRESSURE AND UNDERGOING RAPID RESTRUCTURING

The French food retail sector has been undergoing rapid restructuring for several years. Store acquisitions and banner changes have become increasingly common: in just two years, more than 650 stores have changed ownership.

This trend reflects a well-established economic rationale. In a sector characterised by low margins, retailers seek to achieve critical mass in order to optimise their logistics, pool costs and strengthen their bargaining power with suppliers.

However, increased concentration is not without risks. In some local markets, it may reduce competition between retail banners and limit consumer choice. That is why such transactions are subject to close scrutiny and, where necessary, may be accompanied by store divestitures to preserve the competitive balance in local markets.

POWERFUL ALLIANCES… UNDER CLOSE SCRUTINY

At the same time, retailers are increasingly forming buying alliances to strengthen their bargaining power vis-à-vis major manufacturers.

By pooling their purchasing volumes, they can secure more favourable commercial terms. However, these alliances also reshape the balance of power within the value chain.

The AURA alliance (Intermarché, Auchan and Casino) provides a telling example. During its review in 2024, the Autorité identified risks for certain suppliers, particularly medium-sized companies (*entreprise de taille intermédiaire* – ETI), which risked becoming overly dependent on a limited number of buyers.

As a result, several dozen suppliers were excluded from the scope of the alliance, returning to separate negotiations with each retail banner. In this way, competition law protects not only competition between retailers, but also the balance of bargaining power throughout the value chain. *(Press release of 26 November 2025)*

SUSTAINABILITY, A NEW ARENA FOR COMPETITION

Sustainability has now become a key structuring factor in the sector.

The objectives of reducing the carbon footprint, minimising packaging and improving traceability address both consumer expectations and growing regulatory requirements. They are also becoming drivers of competitive differentiation, transforming the way competition plays out between retail banners and between suppliers.

Retailers can, for example, set themselves apart through a more local offering, products with higher environmental ratings, or more ambitious climate commitments.

However, achieving these objectives often requires cooperation, including between competitors, while ensuring compliance with competition law.

Cooperating without distorting competition: the role of informal guidance

To provide undertakings with greater legal certainty when pursuing such initiatives, the Autorité has developed a dedicated mechanism: informal guidance. Under this mechanism, undertakings can submit their projects to the Autorité at an early stage and obtain an assessment of their compatibility with competition rules.

Below are three recent examples of the informal guidance mechanism in the food retail sector.

In October 2025, a proposed joint platform between retailers aimed at centralising suppliers' carbon footprint data was considered unlikely to raise significant competition concerns, in particular because it was based on voluntary participation and did not involve the exchange of sensitive information. *(Informal Guidance 25-DD-02 of 23 October 2025)*

In February 2026, a proposed deposit-return scheme for food packaging sold in supermarkets was subject to a more cautious assessment. The parties' attention was drawn to areas requiring careful consideration, in particular to prevent any coordination between competitors and mitigate the risk of foreclosure. *(Informal Guidance 26-DD-01 of 4 February 2026)*

In March 2026, a proposed voluntary commitment charter by retailers aimed at better promoting electrical and electronic products with strong sustainability performance was considered unlikely to raise significant competition concerns, subject to certain precautions being observed. *(Informal Guidance 26-DD-02 of 20 March 2026)*

In all three cases, the approach was pragmatic: cooperation remains possible, with certain safeguards where necessary. And where a detailed assessment cannot be carried out, clear boundaries are drawn to enable stakeholders to develop their projects within a secure framework.

A rapidly evolving analytical framework

The integration of sustainability considerations is gradually transforming competition analysis.

New criteria are emerging, such as carbon footprint and production conditions. At the same time, assessing economic effects is becoming more complex: certain forms of cooperation may restrict competition in the short term while generating collective benefits over the longer term.

This shift is part of a broader movement, particularly at European level, aimed at better integrating sustainability considerations into competition law.

WHEN ORGANIC RETAIL BECOMES A SETTING FOR ILLEGAL COORDINATION

In April 2026, the Autorité fined several players in the organic sector – the Synadis Bio trade association, as well as food retail banners such as Greenweez (Carrefour) and Les Comptoirs de la Bio (Les Mousquetaires group) – a total of €12.67 million for an anticompetitive agreement aimed at allocating brands among distribution channels.

The objective was to prevent the same products from being sold in both specialist organic stores and generalist supermarkets, in order to limit price comparability and maintain higher price levels within specialised retail chains.

This practice took place amid the growing presence of generalist supermarkets in the organic market, which had become the main sales channel within just a few years.

However, for the Autorité, the desire to preserve a particular business model cannot justify restrictions of competition. By partitioning distribution channels and limiting price comparability, this agreement directly affected the competitive process, to the detriment of consumers.

Decision 26-D-05 of 16 April 2026
(Decision may be, or may have been, subject to appeal)

FINDING THE RIGHT BALANCE

Today, the food retail sector is at the crossroads of several transformations: intensifying price competition, a reshuffling of market players, and the growing importance of environmental issues.

Competition law is accompanying these transformations. Its role is no longer simply to preserve competition between companies, but also to provide a framework for the cooperation needed to achieve the ecological transition, without undermining market functioning. It is a delicate balance: excessive constraints could stifle initiative, while too much flexibility could weaken competition.

Through its decisions, tools and positions, the Autorité is establishing itself as an arbiter of the transformations underway. In such a pivotal sector, where both purchasing power and the transition towards sustainability are at stake, competition provides a framework for balancing competing objectives: no longer merely a safeguard, but also a tool for supporting market developments while setting their limits.

The Board of the Autorité

At 6 June 2026*

INDEPENDENCE AND COLLEGIALITY

The Autorité's Board is made up of five permanent members (the President and four Vice-Presidents) and 12 non-permanent members. Half of the Board is renewed every two and a half years (with the exception of the President, who is appointed for a renewable period of five years). The legislator's aim was for the members of the Board to come from a variety of different backgrounds. As a result, judges, lawyers, law and economics professors, economic leaders, and representatives of consumer organisations all share their points of view during deliberations. This diversity fosters debate and neutrality in deliberations and is, as such, a guarantee of richness and legitimacy.

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Notice:

When this report was being drafted, certain decisions of the Autorité de la concurrence were still under appeal or were likely to be appealed before the competent courts.

At the time of going to press, the following decisions mentioned in this publication were being appealed before the Paris Court of Appeal: 25-D-02, 25-D-03, 25-D-05, 25-D-06, 25-D-07 and 26-D-03.

In addition, the presentation of decisions and opinions does not claim to be exhaustive and is intended to inform the general public.

Readers are therefore invited to consult the full text of the decisions, opinions and rulings on the websites of the Autorité and the review courts, in order to fully assess the context and scope of the information presented.

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