



Republic of Serbia
**COMMISSION FOR PROTECTION OF
COMPETITION**

25/IV Savska Street, Belgrade
Number: 4/0-01-65/2022-11
Reference: 4/0-01-175/2021;
4/0-01-580/2020
Date: August 19, 2022

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Anonymized version

Council of the Commission for Protection of Competition, pursuant to Article 22 paragraph 2 and Article 25 paragraph 1 of the Article 57, paragraph 1, Article 68, paragraph 1, item 2) of the Law on Protection of Competition (“Official Gazette of the Republic of Serbia”, number 51/09 and 95/13), and Article 3 and 4 of the Decision on Criteria for Determination of Tariff for Competition Protection Measures and Process Penalty, Payment Manner and Deadline and Conditions for Determination of Such Measures (“Official Gazette of the Republic of Serbia” no. 50/2010), in deciding in investigation procedure relating to the violation of competition referred to in Article 10 of the Law on Protection of Competition, which is conducted *ex officio* against market participants SF1 COFFEE DRUŠTVO SA OGRANIČENOM ODGOVORNOŠĆU ZA TRGOVINU I USLUGE NOVI SAD, registration number 21388513, with registered office at: Kralja Aleksandra 12, floor 3, apartment 57, Novi Sad, whose representative is Aleksandar Surla and whose attorney is lawyer Bojan Vučković from the law office Karanovic&Partners oad, Resavska 23, Belgrade, at the 94th session held on August 19, 2022 brings the following

DECISION

I ESTABLISHING that the market participant is SF1 COFFEE DRUŠTVO SA OGRANIČENOM ODGOVORNOŠĆU ZA TRGOVINU I USLUGE NOVI SAD, registration number 21388513, with registered seat at: Kralja Aleksandra 12, floor 3, apartment 57, Novi Sad, during regular and promotional sales with customers in the wholesale, contracted and implemented a business strategy by which they determined the prices for further sales in a fixed amount equal to the retail prices of the company SF1 COFFEE DOO NOVI SAD, which has concluded restrictive agreements which aim to significantly limit, distort and prevent competition, which constitutes a violation of competition from Article 10, paragraph 2, item 1) of the Law on the Protection of Competition.

II IT HAS BEEN ESTABLISHED that the restrictive agreement referred to in paragraph I of the wording of this decision shall be prohibited and null *ex lege*.

III COMPETITION PROTECTION MEASURE SHALL BE IMPOSED for the market participant SF1 COFFEE DRUŠTVO SA OGRANIČENOM ODGOVORNOŠĆU ZA TRGOVINU I USLUGE NOVI SAD, in the amount of 6,198,300.00 RSD (in letters: six million one hundred ninety-eight thousand three hundred dinars).

IV Market participant from paragraph I of the enacting terms **HAS BEEN ORDERED** to execute the payment of the monetary amount for the purpose of competition protection measure from paragraph III of the wording of this decision to the account of the Budget of the Republic of Serbia number 840 743224 843 94, model 97 - with payment reference number: double figure control number per model 97 - three-figure code of the municipality, city or territory - number of this decision.

V DEADLINE SHALL BE SET of 12 (twelve) months from the date of delivery of this decision for the execution of order from paragraph IV of the wording of this decision under threat of enforcement implemented.

VI Market participant from paragraph I of the enacting terms, **HAS BEEN ORDERED** to, immediately and following the execution of order from paragraph IV of the wording of this decision, provide evidence on payment executed to the Commission for Protection of Competition.

VII Market participants from paragraph I of the wording of this decision **HAVE BEEN PROHIBITED** to act, in the future, in any way that might, limit, distort or prevent competition in a manner described in paragraph I of the wording of this decision.

VIII This decision shall be published in the “Official Gazette of the Republic of Serbia” and webpage of the Commission for Protection of Competition.

PRESIDENT OF THE COMMISSION

Nebojša Perić