



## EUROPEAN COMMISSION - PRESS RELEASE

### **Antitrust: Commission fines producers of CRT glass €128 million in fourth cartel settlement**

Brussels, 19 October 2011 - The European Commission has settled a cartel investigation with four producers of cathode ray tubes (CRT) glass used in televisions and computer screens. Japanese firms Asahi Glass (AGC) and Nippon Electric Glass (NEG) and Germany's Schott AG were fined a total of €128 736 000 for operating a cartel that ultimately affected consumers in Europe. In doing so they breached Article 101 of the Treaty on the Functioning of the EU and Article 53 of the EEA agreement. The fine on all three companies includes a reduction of 10% for acknowledging their participation in the cartel, thereby helping the Commission to conclude the case more rapidly. Samsung Corning Precision Materials (SCP) of Korea was granted full immunity for being the first to give information about the cartel.

Commission Vice President in charge of competition policy Joaquín Almunia said: *"I commend the companies' readiness to settle which enabled the Commission to conclude the case more rapidly and won them a reduction of the fine. But firms should be under no illusion about the Commission's resolve to fight cartels and impose fines that should deter them from breaching competition rules in the EU."*

Overall, the cartel lasted from 23 February 1999 until 27 December 2004 and coordinated the prices for CRT glass in the European Economic Area (EEA)<sup>1</sup>. The product concerned, also known as bulb glass, was bought by producers of cathode ray tubes to use in traditional TVs and computer screens. The investigation started end 2008.

The cartel was operated on the basis of bilateral or trilateral meetings, organised at the request of the members. The cartel members supplemented their price coordination activities with the exchange, on an *ad hoc* basis, of confidential and sensitive market information.

For the infringement, Asahi Glass was fined €45 135 000, Nippon Electric €43 200 000 and Schott AG €40 401 000. The fines take into account the CRT glass sales of the firms in the EEA, the very serious nature of the infringement and its geographic scope.

The decision also established the participation of SCP in the cartel. However, the firm received full immunity under the Commission's 2006 Leniency Notice (see [IP/06/1705](#) and [MEMO/06/469](#)). The fine on NEG includes a 50% reduction, also for cooperation under the Leniency Notice. Schott was granted a reduction of 18% for its cooperation outside the Leniency Notice. The fines on AGC and Schott also recognise that they were not involved in all aspects of the cartel.

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<sup>1</sup> The EU plus Iceland, Liechtenstein and Norway.

### Further information

This is the fourth settlement decision in a cartel investigation. The other three were: DRAMS (see [IP/10/568](#)), Animal feed (hybrid settlement [IP/10/985](#)) and Household laundry powder detergents (see [IP/11/473](#)).

The investigation was triggered by initial information pointing to a possible cartel in the CRT glass market. Shortly thereafter the Commission received SCP's request for immunity which was followed by inspections.

Individual fines, including reductions:

	Reduction under the Leniency Notice	Reduction under the Settlement Notice	Fine (EUR)
Samsung Corning Precision Materials Co., Ltd.	100%	10%	0
Nippon Electric Glass Co., Ltd.	50%	10%	43 200 000
Schott AG	-	10%	40 401 000
Asahi Glass Co., Ltd.	-	10%	45 135 000

### The settlement procedure

The settlement procedure is based on Antitrust Regulation 1/2003 (see [IP/08/1056](#) and [MEMO/08/458](#)). It allows the Commission to apply a simplified procedure to suitable cases where parties, having seen the evidence in the Commission file choose to acknowledge their involvement in the cartel and their liability for it, and thereby reduce the length of the investigation. This is good for consumers and for taxpayers as it reduces costs; good for antitrust enforcement as it frees up resources to tackle other suspected cases; and good for the companies themselves that benefit from quicker decisions and a 10% reduction in fines.

### Action for damages

Any person or firm affected by anti-competitive behaviour as described in this case may bring the matter before the courts of the Member States and seek damages. The case law of the Court and Council Regulation 1/2003 both confirm that in cases before national courts, a Commission decision is binding proof that the behaviour took place and was illegal. Even though the Commission has fined the companies concerned, damages may be awarded without these being reduced on account of the Commission fine.

The Commission considers that meritorious claims for damages should be aimed at compensating, in a fair way, the victims of an infringement for the harm done. More information on antitrust damages actions, including the public consultation and a citizens' summary, is available at:

<http://ec.europa.eu/comm/competition/antitrust/actionsdamages/documents.html>

A non-confidential version of the CRT Glass settlement decision will be published at the following web address as soon as it becomes available:

[http://ec.europa.eu/competition/elojade/isef/case\\_details.cfm?proc\\_code=1\\_39605](http://ec.europa.eu/competition/elojade/isef/case_details.cfm?proc_code=1_39605)

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