



ADVOCACY WORKING GROUP
MARKET STUDIES PROJECT

MARKET STUDIES INFORMATION STORE

JURISDICTION

**BRAZIL – CADE (Conselho Administrativo de Defesa Econômica –
Administrative Council for Economic Defense)**

UPDATED: MARCH 2020

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Jurisdiction: Brazil

Administrative Council for Economic Defense

Sector:	Financial										
Market:	Payment Instruments Market	Range of Possible Outcomes									
End Date:		Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties
Duration:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source of idea for study:	Own initiative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outcome: (check all relevant boxes)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the underlying problems?):	The payment card industry has significantly increased its presence in Brazil due to convenience and safety concerns, but also interventions in the market followed by larger competitiveness among market participants. In face of the changes that the Brazilian Payments System went through over the last years, it was necessary to produce more studies in this area and conduct research regarding the potential competition concerns that might arise.										
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/publicacoes-dee/Cadernodeinstrumentosdepagamento_27nov2019.pdf										
Remarks (if any):											

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Sector:	Competition policy												
Market:	cross sectional – focus on digital economy	Range of Possible Outcomes											
End Date:	2019	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found	
Duration:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Source of idea for study:	Discussions in the scope of the BRICS working group on digital economy.												
Outcome: (check all relevant boxes)													
Reason for study (what were the underlying problems?):	<p>The study aims at better understanding and examining how antitrust toolkit and competition policy are being used to deal with the challenges imposed by the digital economy, in the context of BRICS, thus, enhancing future cooperation.</p>												
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/brics_report.pdf												
Remarks (if any):													

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Sector:	Construction											
Market:	Cements	Range of Possible Outcomes										
End Date:	2019	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source of idea for study:	Own initiative											
Outcome: (check all relevant boxes)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the underlying problems?):	<p>The study provides a broad overview of the cements market in Brazil and CADE's rationality when evaluating and deciding on cases involving the sector, including methodologies generally adopted by CADE's Tribunal.</p>											
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/publicacoes-dee/CadernodoCadeMercadodeCimento.pdf											
Remarks (if any):												

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Sector:	Competition Policy									
Market:	Cross-Sectional									
End Date:	Range of Possible Outcomes									
Duration:										
Source of idea for study:										
Outcome: (check all relevant boxes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the underlying problems?):	There is a growing number of investigations and several requests from the Brazilian industry concerning the imposition of antidumping measures in recent years. It was necessary to evaluate the potential of unfair competition and economic harm. The study investigates the relation between competition and antidumping measures adopted in the Brazilian industry.									
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/publicacoes-dee/Documentodetrabalho022019.pdf									
Remarks (if any):										

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Sector:	Construction											
Market:	Gravel market	Range of Possible Outcomes										
End Date:	2019	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Source of idea for study:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Outcome: (check all relevant boxes)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Reason for study (what were the underlying problems?):	The study present an ex-post evaluation concerning CADE's decision against the gravels cartel that occurred in several Brazilian states.											
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/publicacoes-dee/DocumentodeTrabalho_CarteldeBritas.pdf											
Remarks (if any):												



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Sector:	Transport									
Market:	Port services									
End Date:	2017									
Duration:										
Source of idea for study:										
Outcome: (check all relevant boxes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the underlying problems?):	The study covers port services markets and presents an overview of the port sector in the Brazilian economy. It addresses relevant aspects of sectoral regulation and describes CADE's analysis and decisions in cases concerning mergers anticompetitive conducts in these markets.									
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/dee-publicacoes-anexos/CadernosdoCadePortos26092017.pdf									
Remarks (if any):										
Range of Possible Outcomes										
Competition Enforcement										
Consumer Enforcement										
Consumer Education										
Business Education										
Voluntary Business Compliance										
Voluntary Business Action										
Recommendations to Government for Changes in the Law										
Recommendations to Government to Change Market Structure										
Recommendations for Changes to Government Policy										
Referral to Third Parties										
No Problems Found										

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Sector:	Research and development											
Market:	Cross-Sectional	Range of Possible Outcomes										
End Date:	2017	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
Duration:		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Source of idea for study:												
Outcome: (check all relevant boxes)												
Reason for study (what were the underlying problems?):	The study addresses the phenomenon of cooperation between companies for innovation and for joint research and development (R&D).											
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/dee-publicacoes-anexos/documento-de-trabalho-003-2017-cooperacao-para-inovacao-o-papel-do-antitruste-e-dads-politicas-publicas-em-diferentes-paises.pdf											
Remarks (if any):												

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Sector:	Competition Policy							
Market:	Cross-Sectional							
End Date:	Range of Possible Outcomes							
Duration:	2017							
Source of idea for study:								
Outcome: (check all relevant boxes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the underlying problems?):	The study presents a discussion on the adoption of competition indicators to compare market power between sectors of the manufacturing industry.							
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/dee-publicacoes-anexos/documento-de-trabalho-02-2017							
Remarks (if any):								

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Sector:	Foreign Trade Policy										
Market:	Cross-Sectional										
End Date:	2017										
Duration:											
Source of idea for study:											
Outcome: (check all relevant boxes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
Reason for study (what were the underlying problems?):	The study evaluates the impact of anti-dumping measures on the productivity and profitability of firms benefiting from such measures.										
Link to report:	http://www.cade.gov.br/acesso-a-informacao/publicacoes-institucionais/dee-publicacoes-anexos/documento-de-trabalho-antidumping-e-concorrencia-no-brasil.pdf										
Remarks (if any):											
Range of Possible Outcomes											
	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found

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Brazil – CADE (Conselho Administrativo de Defesa Econômica - Administrative Council for Economic Defense)

Sector:	Other- Retail Market										
Market:	Wholesale distribution market	Range of Possible Outcomes									
End Date:											
Duration:	Ongoing										
Source of idea for study:	Own initiative										
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	This market analysis examines information about the retail sector, emphasizing specifically the competitive pressures on the retail market.										
Link to report:	Not available										

Sector:	Pharmaceuticals										
Market:	Retail sector in pharmaceutical sector	Range of Possible Outcomes									
End Date:	Ongoing										
Duration:	Ongoing										
Source of idea for study:	Own initiative										
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	The study gathers information about the pharmaceutical sector, focusing especially on the competitive pressures of the retail market.										
Link to report:	Not available yet.										

Brazil – CADE (Conselho Administrativo de Defesa Econômica - Administrative Council for Economic Defense)

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Sector:	Transport									
Market:	Taxi and paid rides									
End Date:	2015									
Duration:	1 month									
Source of idea for study:	Own initiative									
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reason for study (what were the problems)?	This analysis focus on the impact of Uber's entrance in the market.									
Link to report:	http://www.cade.gov.br/upload/Rivalidade%20ap%C3%B3s%20entrada%20-%20o%20impacto%20imediato%20do%20aplicativo%20Uber%20sobre%20as%20corridas%20de%20t%C3%A1xi.pdf									

Sector:	Transport									
Market:	Taxi and paid rides									
End Date:	2015									
Duration:	1 month									
Source of idea for study:	Own initiative									
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reason for study (what were the problems)?	This work is an effort of the Department of Economic Studies of CADE (DEE / CADE) to deepen the authority understanding about the individual transport of passengers market, specifically for taxis and paid rides applications.									
Link to report:	http://www.cade.gov.br/upload/0%20Mercado%20de%20Transporte%20Individual%20de%20Passageiros.pdf									

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Sector:	Construction										
Market:	Inputs for cement production (pozzolana, clinker, limestone, among others)										
		Range of Possible Outcomes									
End Date:	2015	<input type="checkbox"/> Competition Enforcement	<input type="checkbox"/> Consumer Enforcement	<input type="checkbox"/> Consumer Education	<input type="checkbox"/> Business Education	<input type="checkbox"/> Voluntary Business Compliance	<input type="checkbox"/> Voluntary Business Action	<input type="checkbox"/> Recommendations to Government for Changes in the Law	<input type="checkbox"/> Recommendations to Government to Change Market Structure	<input type="checkbox"/> Recommendations for Changes to Government Policy	<input type="checkbox"/> Referral to Third Parties
Duration:	2 years										
Source of idea for study:	Own initiative										No Problems Found
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	In order to inform the merger case 08012.008947/2008-05, Commissioner Carlos Emmanuel Joppert Ragazzo demanded the Economic Studies Department to analyze how vertical integrations in the cement sector could affect competitive environment. Taking into account an investigated cartel in the cement sector (Administrative Proceeding nº 08012.011142/2006-79) and some other administrative cases related specifically to inputs for cement production (08012.012207/2011-61; 08012.000429/2007-54; 08012.010208/2005-22), CADE's Economic Studies Department published a broader study to understand how inputs for cement production impact cement sector.										
Link to report:	http://www.cade.gov.br/upload/Documento%20de%20Trabalho%20DEE%2002-2015.pdf										

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Sector:	Health										
Market:	Collective bargaining involving medical services	Range of Possible Outcomes									
End Date:	2015	<input checked="" type="checkbox"/> Competition Enforcement	<input type="checkbox"/> Consumer Enforcement	<input checked="" type="checkbox"/> Consumer Education	<input checked="" type="checkbox"/> Business Education	<input checked="" type="checkbox"/> Voluntary Business Compliance	<input type="checkbox"/> Voluntary Business Action	<input type="checkbox"/> Recommendations to Government for Changes in the Law	<input type="checkbox"/> Recommendations to Government to Change Market Structure	<input type="checkbox"/> Recommendations for Changes to Government Policy	<input type="checkbox"/> Referral to Third Parties
Duration:	6 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source of idea for study:	Own initiative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outcome (tick relevant columns):		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	This published analysis consolidated, systematized and disseminated CADE's jurisprudence on collective bargaining involving medical services.										
Link to report:	http://www.cade.gov.br/upload/Cadernos%20do%20Cade%20%E2%80%93%20Mercado%20de%20Sa%C3%BAde%20Suplementar%20Condutas%20%E2%80%93%202015.pdf										

Sector:	Fuel										
Market:	Retail automotive fuels	Range of Possible Outcomes									
End Date:	2014	<input checked="" type="checkbox"/> Competition Enforcement	<input type="checkbox"/> Consumer Enforcement	<input checked="" type="checkbox"/> Consumer Education	<input checked="" type="checkbox"/> Business Education	<input checked="" type="checkbox"/> Voluntary Business Compliance	<input type="checkbox"/> Voluntary Business Action	<input type="checkbox"/> Recommendations to Government for Changes in the Law	<input type="checkbox"/> Recommendations to Government to Change Market Structure	<input type="checkbox"/> Recommendations for Changes to Government Policy	<input type="checkbox"/> Referral to Third Parties
Duration:	6 months	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source of idea for study:	Own initiative	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outcome (tick relevant columns):		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	This published market study consolidated, systematized and disseminated CADE's jurisprudence on the "retail automotive fuels" industry.										
Link to report:	http://www.cade.gov.br/upload/Cadernos%20do%20Cade%20-%20Varejo%20de%20Gasolina.pdf										

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Sector:	Financial Services									
Market:	Bank sector									
End Date:	2013									
Duration:	Not specified									
Source of idea for study:	Own initiative									
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	This contribution focused on the Drawback Rule and Origin Regime of Mercosur, in order to measure the impacts of such regimes in the national competition policy and its engagement in the regional context. (DEE, Nota Técnica 003/2013/DEE, 2013).									
Link to report:	Not available									

Sector:	Other -- Food industry									
Market:	Meat market									
End Date:	2012									
Duration:	Not specified									
Source of idea for study:	Own initiative									
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	The analysis examined and measured the concentration in the Brazilian meat market (DEE, Nota Técnica 001/2012/DEE , 2012)									
Link to report:	Not available									

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Sector:	Financial Services									
Market:	Bank sector									
End Date:	2010									
Duration:	Not specified									
Source of idea for study:	Own initiative									
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	The study examined the impact of public banks in the competitive financial environment. (DEE, Nota Técnica 004/2010/DEE, referente a estudo sobre impacto de bancos públicos no ambiente competitivo, 2010)									
Link to report:	Not available									

Sector:	Competition Policy									
Market:	Conduct: are "abusive prices" an autonomous conduct?									
End Date:	2010									
Duration:	Not specified									
Source of idea for study:	Own initiative									
Outcome (tick relevant columns):	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reason for study (what were the problems)?	The study analyzed whether "abusive pricing" could be investigated and condemned as an autonomous conduct. (DEE, Nota Técnica 002/2010/DEE, referente a estudo sobre questões teóricas de preço abusivo, 2010)									
Link to report:	Not available									