

Consumer goods and retail

Antitrust and consumer protection newsletter

February 2026

Welcome to the February 2026 edition of the Clifford Chance Antitrust and Consumer Protection Newsletter for companies active in the consumer goods and retail sector. This newsletter provides a digest of recent antitrust and consumer law developments and emerging enforcement trends in the sector. Want to know more? Please contact our team using the details on the back page.

Recent developments

European Union (EU)

European Commission approves Mars’s proposed acquisition of Kellanova following in-depth investigation

European Commission fines fashion brands Gucci, Chloé and Loewe over €157 million for resale price maintenance

European Commission opens investigation into Red Bull for potential abuse of dominance in the energy drinks sector

United Kingdom

CMA begins enforcement action under its new consumer protection powers

Competition litigation: UK Government’s consultation on the collective actions regime

Competition and IP litigation: Temu files antitrust counterclaim against Shein in IP proceedings highlighting the ways that competition law can be deployed as a shield

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Spain

Spanish Competition Authority confirms that mere price parallelism in supermarkets is not necessarily anticompetitive

Spanish Competition Authority fines I.C.ON €1.2 million and imposes public procurement ban for resale price maintenance and online sales restrictions

France

The French Competition Authority concludes a year-long series of merger transactions reviews in the food retail sector, clearing the acquisition of 590 stores

Netherlands

The Dutch competition authority has launched a market investigation into grocery prices in supermarkets in the Netherlands. The authority seeks to understand supermarket pricing, as well as whether there are issues in the functioning of the market that lead to higher prices

Germany

Prohibition of Tönnies’s acquisition of Vion slaughterhouses

The Bundeskartellamt investigates Temu of suspected vertical price fixing

Czech Republic

The Czech Competition Authority has concluded a sector-wide investigation into resale price maintenance (RPM) practices in the pet food market

The Czech Competition Authority fines meal vouchers cartel

Belgium

The Belgian Competition Authority applies Towercast judgment to investigate a merger falling below the applicable merger control thresholds

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United States

The Federal Trade Commission (FTC) has dismissed its antitrust lawsuit against PepsiCo, Inc., which alleged that the company engaged in anti-competitive practices in the beverage and snack food markets

The U.S. Department of Justice, joined by more than 30 state attorneys general, filed a civil antitrust lawsuit against Live Nation and its subsidiary Ticketmaster, alleging the companies of leveraging their dominant positions in ticketing, venue ownership and concert promotion to suppress competition and inflate prices for consumers

Japan

The Japanese Fair Trade Commission (JFTC) has issued cease-and-desist orders and surcharge payment orders against Kadoya Sesame Mills inc. and Takemoto Oil & Fat Co., Ltd., manufacturers of sesame oil and roasted sesame seed for alleged breaches of the Antimonopoly Act

Australia

The ACCC commenced proceedings against fresh produce suppliers and senior executives for price fixing allegations

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