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Heineken to pay a fine and to set up a compliance programme for narrowing the range of beer selection

The anti-competitive conduct

The Hungarian Competition Authority ('HCA') ordered the Dutch-owned multinational beer company to implement an internal compliance programme for all its HORECA partners in Hungary. The HCA also imposed a 15 million HUF (approximately 38,353.45 EUR) fine on Heineken.

At the beginning of 2022, the HCA launched five simultaneous proceedings to enforce compliance with the trade regulation, known in the press as the "beer law". This law was introduced by the Hungarian legislator two years ago to expand the choice of drinks and curb the exclusivity agreements that are common in the sector.

The investigation into Heineken was the first of these investigations to be completed. During the HCA's investigation it was established that Heineken had, despite the legal prohibition, established an almost exclusive supplier cooperation with a restaurant in the capital.

An audit of the commercial relationship between Heineken and the restaurant revealed that the restaurant had to source almost all of its beer from Heineken. By limiting consumer choice and preventing other beer producers from competing, Heineken and the restaurant violated the trade regulation.

Sanctions applied

Taking all the circumstances into account Heineken received a fine of 15 million HUF. Furthermore, the HCA prohibited Heineken from continuing the infringing conduct and ordered it to establish an internal compliance programme to ensure that its business terms do not encourage restaurants to exceed the legal barriers (either directly or indirectly).

This compliance programme will apply to all catering outlets that have a commercial relationship with Heineken, and is therefore expected to have an impact on the whole market.