AGRI PLUS - DECISION OF PRESIDENT OF UOKIK

* **Agri Plus - a company from the Animex capital group, one of the biggest organisers of pigs feeding in Poland, was taking away from farmers their compensations awarded by the State for ASF losses.**
* **President of UOKiK Tomasz Chróstny has imposed more than PLN 68 million for abusing superior bargaining power.**

 **[Warsaw, 11 January 2023]** Pig farmers from areas affected by restrictions in connection with combating the African Swine Fever (ASF) may be given the aid for levelling up some decreased income arising from the limit in the number of customers, lower sales prices or higher costs of operations related to bio-security, among others. The compensation is due to micro, small and medium enterprises while it will not be awarded to large business entities.

The President of UOKiK has been informed by [the Agency of Restructuring and Modernisation of Agriculture](https://www.gov.pl/web/arimr) that an organiser of the contracted feeding, namely Agri Plus company, is likely to arrange agreements with farmers in such a way that it deprives them of the state aid they have been awarded. The proceedings held by the President of UOKiK have confirmed that the company had obligated pigs suppliers from ASF-affected areas to transfer to it the financial aid which they had received from the State. Agri Plus reduced prices of the purchased animals by the amount of the compensation concluding that this was it, as the organiser of the contracted feeding system, who should have the losses for ASF levelled up. The President of the Office has additionally found that the company monitored which farmers were given the support and then it demanded that their remuneration be decreased by way of backward adjustment of sales invoices. The company’s operations affected approximately one thousand permanent suppliers who had been obliged by it to apply for the compensations and forward them to Agri Plus. This is how the entrepreneur collected at least PLN 12 million from a few dozen of farmers while the system of monitoring the state aid given to farmers organised by Agri Plus aimed at reducing the pecuniary benefits attributable to farmers including the ones in the future.

- *The farmers from zones affected by ASF were in a very difficult standing. And this is why the public aid was to compensate for the losses they have suffered from. For this reason depriving them of their support by a counterparty of a stronger market standing is unacceptable -* says Tomasz Chróstny, President of UOKiK.

The fine for abuse of superior bargaining power imposed on Agri Plus amounted to more than PLN 68 (PLN 68,468,886.20). The decision is not final and may be appealed to the court.

The farmers who have been aggrieved by the unfair Agri Plus practice will have the right to seek their claims before a civil court. In such a case, the President of UOKiK may present to the court an opinion which is to be important for this case by presenting the findings from the proceedings held.

Entrepreneur, farmer, if you operate in the agricultural and food industry and your large counterparty uses its advantage by imposing some unfavourable terms of cooperation - **inform UOKiK**. We have launched a special **form** to help you report any irregularities. Click here to fill it out: <https://ankieta.uokik.gov.pl/formularz-zgloszenie-przewaga/>.