Collusion at the sale of agricultural machinery? The President of UOKiK has pressed charges against entrepreneurs and managers

* **The President of UOKiK has opened two antitrust proceedings concerning the sale of agricultural machinery.**
* **The first involves brands as follows: New Holland, Case and Steyr, the other - the Claas brand. A total of 15 business entities and 2 managers were charged of market sharing and price fixing.**
* **As a result, farmers may have been denied the opportunity to buy equipment at lower prices.**

**[Warsaw, 24 February 2025]** The President of UOKiK obtained information about a possible violation of competition in the sale of agricultural machinery on the basis of its own analyses and after conducting [searches](https://archiwum.uokik.gov.pl/news.php?news_id=19675&news_page=8). The evidence obtained gave rise to two proceedings against 17 entities in total.

- We suspect that the sale of agricultural machinery, including tractors and harvesters of popular brands, was conducted in violation of antitrust laws. Entrepreneurs might have shared the market and exchanged information about the prices charged. As a result of their actions, farmers may have been deprived of the opportunity to choose a vendor and purchase agricultural machinery at lower prices - says Tomasz Chróstny, the President of UOKiK.

The first investigation concerns CNH Industrial Poland which is responsible for organizing the distribution of agricultural machinery of the New Holland, Case and Steyr brands in Poland. Investigations are also underway against seven dealers. These are: Przedsiębiorstwo Handlowo-Usługowe Perkoz, Przedsiębiorstwo Handlowo-Produkcyjne Rolserwis, Raitech, Pol-Agra J. Korneluk, T. Rzeszowski, Adler Agro, Kisiel Agrotech and Kisiel. The President of UOKiK also brought charges against two managers from CNH Industrial Polska and Przedsiębiorstwo Handlowo-Usługowe Perkoz, who may have been directly responsible for the suspected collusion.

The second proceedings are against Claas Poland, which manages the Claas agricultural machinery distribution system, and six dealers of the brand: Agro Sznajder, Agro Sznajder WKP, Roltex Technical and Trading Company, Swierkot, Agrimasz and Agroas.

**Suspected collusion**

In both cases, dealers were assigned areas in which to sell products. The President of UOKiK suspects that the unauthorized arrangements may have involved restricting passive sales to customers outside the assigned territory. This refers to a situation where the farmer approached the dealer themselves and was referred to a dealer near their farm or was presented with a less favorable price offer. Entrepreneurs may have also informed one another of the prices offered to customers, among other things, to discourage farmers from buying from a dealer outside the designated area.

An enterprise involved in a competition-restricting agreement faces a fine of up to 10% of its turnover. The managers responsible for concluding the tender collusion agreement, in turn, face a fine of up to PLN 2 million.

Severe penalties for participation in collusion can be avoided by taking advantage of the [leniency scheme](https://konkurencja.uokik.gov.pl/program-lagodzenia-kar/). It offers businesses involved in an illegal agreement and managers responsible for entering into a price-fixing arrangement an opportunity to reduce a sanction or, in some cases, avoid it altogether. It is intended for those who agree to cooperate with the President of UOKiK as a “crown witness” and provide evidence or information regarding the existence of a prohibited agreement. We encourage the parties interested in the leniency scheme to contact UOKiK at a dedicated phone number: 22 55 60 555. UOKiK staff will answer any questions about the leniency programme, including anonymous ones.

We would also like to remind you that we operate a programme to obtain information from anonymous whistleblowers. Do you wish to inform UOKiK about competition restricting practices? Visit <https://uokik.whiblo.pl/> or scan the QR code below and use the simple form. The system we use guarantees full anonymity, including vis-a-vis UOKiK itself.