

**Question for written answer P-008623/2016
to the Commission**
Rule 130
Dariusz Rosati (PPE)

Subject: The Commission's lack of decisiveness over the risk of competition law being violated

Under the provisions of the Treaty on the Functioning of the EU, Member States should have the right to equal competition in the internal market. Four years ago, the roof window manufacturer Fakro drew up a several-thousand-page dossier highlighting more than 300 examples of abuse by the Danish company Velux. That documentation highlights the suspicion that the company applies loss-leading pricing, treats trading partners unequally, concludes exclusive contracts and uses fighter brands. The complaint was given a low priority for the reason that too many resources would need to be committed. The case is not identical to the procedure carried out prior to 2009. 95% of the evidence comes from the period after it was concluded. The Commission has often punished other companies for similar activities. Over the past 25 years, 12 of Europe's 21 manufacturers have disappeared from the roof window market. The market share of Velux, which is the largest of the nine remaining firms, is 75-85%, which creates a risk that it will use its dominant position to restrict competition. In addition, Velux's anti-competitive behaviour outside the EU is reducing exports of roof windows from the Union. Urgent action needs to be taken because accounting firms only keep records for five years. After that it becomes much more difficult to check the evidence.

Given the evidence that Velux has broken competition law, will the Commission take action to address the matter, and, if so, when?