

Statement regarding the CMA's decision to close an investigation into suspected charging of excessive and unfair prices for hand sanitiser products during the coronavirus (COVID-19) pandemic

Parties: The parties have not been named

Case reference: Case 50924

Case closed: 3 September 2020

Issue: Suspected charging of excessive and unfair prices for hand sanitiser products during the coronavirus (Covid-19) pandemic under Chapter II of the Competition Act 1998 (CA98)

Relevant provision: Chapter II of the CA98

Summary of closure decisions

On 18 June 2020, the CMA opened four investigations under Chapter II of the CA98 into suspected charging of excessive and unfair prices for hand sanitiser products during the coronavirus (COVID-19) pandemic under Chapter II of the CA98 by various parties.

The CMA decided on 13 July 2020 to close three investigations as it considered that the retailers' prices did not, or were unlikely to, infringe competition law¹. The fourth investigation remained open.

Decision to close the fourth investigation in line with the CMA's Prioritisation Principles

The CMA has closed the fourth investigation having had regard to the CMA's Prioritisation Principles². The CMA gathered evidence during the investigation from a range of sources including evidence of the retailer's wholesale costs and the volume of hand sanitiser that it has sold. Having carefully reviewed the evidence that it has gathered, the CMA considers that it is unlikely that the prices which the retailer is currently charging infringe competition law and that further investigation to reach a definitive view on whether the retailer's prices have infringed competition law would deliver limited, if any, consumer benefits.

The decision to close the case does not amount to a definitive statement or finding as to whether the party to the investigation has infringed competition law, nor should any inference be made to that effect. The CMA's decision to close this case does not prevent the CMA from opening an investigation in the future if it were to receive new evidence which changed the assessment.

[1] For more information, please see: [13 July 2020 case closure statement](#)

[2] For more information, please see the [CMA's published guidance on its investigation procedures in Competition Act 1998 cases \(CMA8\)](#), para 10.2-10.11, and [Prioritisation principles for the CMA, April 2014 \(CMA16\)](#).