
Kluwer Competition Law Blog

Main Developments in Competition Law and Policy 2024 – Sweden

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Introduction and Summary

As we move forward from 2024, it is time to reflect on last year's main developments within Swedish competition law. The Swedish Competition Authority (the "SCA") has been busy with merger reviews, including a significant case before the Patent and Market Courts. Also, the SCA's record fine for alleged resale price maintenance is being reviewed by the courts, with a decision expected soon.

Below are some highlights from 2024.

The SCA Tried to Block Pharmacy Merger

In 2024 the SCA conducted several in-depth investigations of notified mergers. One notable case involved Apotekjtjänst's attempt to buy one of its two competitors in the market for dose-dispensing services. The transaction was blocked by the SCA, and the decision was later appealed to the Patent and Market Court. This is merely the second time a prohibition decision has been appealed. In November, the Patent and Market Court upheld the SCA's decision. The [judgment](#) was appealed to the Patent and Market Court of Appeal, which cleared the merger on 7 March 2025 and annulled the SCA's decision.

Appealed Decision on Record High Fines for Vertical Restraints

Tapwell is a Swedish company supplying bathroom appliances. At the end of 2023, the SCA fined Tapwell SEK 16.9 million (about EUR 1.6 million) for setting prices and other terms for the online sales of its products. This is the highest fine for a vertical restraint since the SCA gained the power to impose fines in 2021. Tapwell has appealed this [decision](#), and the case is under review by the Patent and Market Court, with a ruling expected soon

Approved Merger in the Food Industry

Despite concerns, the SCA approved Axfood's purchase of the store chain City Gross, mainly active in the hypermarket segment, after an in-depth investigation. Axfood had already bought a small share in City Gross in 2021. Through its minority stake, it exercised joint control in City Gross and had a long-term cooperation agreement in for example logistics, assortment and purchasing, private labels, store safety, finance, HR and IT. Through the notified deal, Axfood acquired the rest of the shares in City Gross, gaining sole control. The SCA found that although Axfood would become stronger in some geographic areas, there would still be enough competition to give consumers choices. This is an interesting **decision**, especially since the SCA has conducted a sector inquiry into the food industry, where it has pointed out that there are competition concerns within the industry.

A Voluntary Notification was Cleared

In February 2024, the Norway-based company EasyPark Group AS ("EasyPark") voluntarily notified the SCA of its acquisition of Mobility 1 SAS ("Flowbird"), despite not meeting the thresholds for mandatory notification. The reason for the voluntary notification is most likely the SCA's decision to use its call-in powers in relation to Easy Park's acquisition of Ineleon Holding AB back in 2019. An acquisition that was reviewed post-closing and which was only cleared after an in-depth investigation.

EasyPark offers mobile payment solutions for parking, while Flowbird primarily offers parking meters in Sweden. The SCA concluded that EasyPark will be the biggest supplier of mobile payments and parking meters – products closely connected to each other. However, this time the SCA decided to clear the acquisition without conditions already in phase one. The decision shows that voluntary notifications do not automatically lead to lengthy in-depth investigations, instead providing clarity by easing concerns about post-merger review.

SCA Closes Investigation After Fuel Companies Agree to Stop Publishing Prices

The SCA has closed its investigation into three fuel companies—Circle K, OKQ8, and Preem—after concerns that their practice of publishing daily recommended fuel prices online might have violated competition rules.

The SCA found a pattern in how these companies updated their prices. Circle K would post its recommended prices for petrol and diesel in the morning, and within an hour, OKQ8 and Preem would follow with identical prices or ones that differed by a fixed amount. This raised concerns about potential price coordination, which could lead to higher costs for consumers. To resolve the issue, the companies voluntarily committed to stop publishing these prices for three years. The SCA accepted these commitments, concluding that they would effectively address the competition concerns. If any of the companies break this agreement, they could face a fine of SEK 100 million

(approx. EUR 10 million).

Publishing future pricing intentions can lead to **indirect price-fixing**, reducing competition and potentially raising consumer prices. The SCA emphasized that such practices offer no real benefit to private customers. This case serves as a reminder that anti-competitive behavior isn't always obvious, and companies should be cautious when sharing sensitive pricing information.

Competition Concerns in the Labour Market

In early 2024, the SCA and the other Nordic Competition Authorities published a [report](#) on competition in labour markets. The report outlines how agreements between companies to refrain from hiring each other's employees or to fix wages can result in a less efficient allocation of resources and negatively impact employees' working conditions. Such agreements between competitors may infringe the competition rules.

However, the report notes that in the Nordic countries, the strong positions of trade unions and business organisations may help mitigate some of the potential negative effects associated with wage-fixing and no-poach agreements. The report shows that the competition authorities are not afraid to examine non-traditional competition markets, such as labour markets.

Sector Inquiry in the Food Industry

Last summer, the SCA completed a study on the food industry, finding a lack of competition in the supply chain, which means that consumers pay more than they should, and that the money does not always end up where it is needed to favour e.g. investments and increased production. This study led to further investigations into several companies in the industry.

A Reminder of the SCA's Call-in Powers

The long-awaited judgement that put an end to the [Illumina Grail](#) saga was no doubt the talk of the town in 2024. Without analysing the ruling of the Court of Justice of the European Union, it is clear that national call-in powers will play an increasingly important role for the Commission's possibility to examine mergers that are not subject to mandatory notification in the EU. Therefore, we can expect a greater focus on the SCA's call-in powers which allow the agency to call in below-threshold mergers in certain circumstances.

Reflections on the Year that has Passed

2024 has been an interesting year for Swedish competition law with the SCA taking decisive action

in several cases. Key cases, such as the Apotekstjänst/Svensk Dos merger prohibition and the record fine against Tapwell, highlight both the SCA's commitment to maintaining competitive markets and market actors' determination to defend their investments and strategies.

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A promotional banner for a survey report. The background is dark with a glowing blue and red digital circuit pattern. A gavel is positioned in the center, resting on a surface that looks like a circuit board. The text is white and blue. The title is '2024 Future Ready Lawyer Survey Report'. Below it is the main headline 'Legal innovation: Seizing the future or falling behind?'. A blue button with white text says 'Download your free copy →'. The Wolters Kluwer logo is in the bottom left. In the bottom right, there is a white box with the 'FR Future Ready' logo and the word 'LAWYER' below it.

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