

competition law in days of covid-19: Europe, United states & Israel

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Joint Antitrust Statement Regarding COVID-19 (March 2020)



- › Expeditious guidance how to ensure compliance with the federal antitrust laws
- › Within 7 days of receiving all information
- › Compare with Business Review Letters (DOJ) and Advisory Opinions (FTC)
- › Inviting reports of fraudulent or illegal schemes
- › Agency responses effective for 1 year



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- › Mckesson et. al BRL: distribution of personal protective equipment (4/4/20)
- › AmerisourceBergen et. al BRL: collaboration in medication distribution (20/4/20)



FTC & DOJ: Conduct & HSR



- › Employees working remotely
- › Reallocation of resources (loss in non-enforcement activity)
- › HSR filings went 100% electronic (e-File)
- › Early termination on limited basis as time/resources allow
- › Both agencies fully operational, and issuing warnings...
- › Antitrust Division [requests an additional 30 days](#) to timing agreements to complete its review after the parties have complied with document requests



Antitrust Spring Meeting Enforcers Roundtable:

<https://youtu.be/RM8ZGeHPHMI>

Meanwhile on the other end of town...



Elizabeth Warren, Alexandria Ocasio-Cortez want mergers halted due to COVID-19

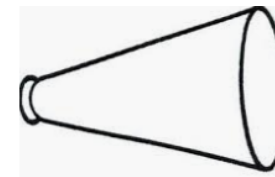
By Adam Lewis

April 28, 2020 [View comments \(4\)](#)

Proposed COVID-19 Bills...



The private sector voice



[ICC Call to Action on COVID-19 and Competition](#) (April 2020)

- › Governments to consider relaxing competition rules for certain types of cooperation
- › Competition agencies should issue clear guidance on what cooperation is allowed
- › Adhere to merger timing limits without lengthy delays; understand delays in obtaining information
- › Governments encouraged to guard against protectionism
- › Agencies should advocate for policies that recover competitive markets
- › And much more...