

European Commission Imposes First Fine for Incomplete Information in Antitrust Probe

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On September 8, 2025, the European Commission announced that it had fined Eurofield SAS and its former parent, Unanime Sport SAS, a total of approximately €172,000 for providing incomplete responses to information requests during an antitrust investigation in the synthetic turf (artificial grass) sector. Fines for procedural infringements are not new and the Commission regularly imposes multi-million Euro penalties in the context of its merger control investigations for (e.g.) gun-jumping. However, this is the first time the Commission has fined someone for providing incomplete information in the context of a cartel investigation.

Background and Investigation. The Commission's investigation began in June 2023, when it issued a simple request to Eurofield as part of its broader inquiry into the synthetic turf industry. After reviewing Eurofield's initial response and comparing it with documents obtained during unannounced inspections, the Commission identified omissions and subsequently issued a formal request for information in October 2023. Despite being alerted to concerns regarding the (lack of) completeness of its initial reply, Eurofield's subsequent response remained incomplete.

In November 2024, the Commission notified Eurofield and Unanime Sport that it was opening a separate procedural investigation into the suspected breach. Both parties then cooperated with the Commission, acknowledged liability, and submitted the missing documents along with some additional information not initially identified as missing.

Legal Basis and Fine Calculation. Under Article 23(1)(b) of Regulation No 1/2003, the Commission may impose fines of up to 1% of a company's total turnover for intentionally or negligently supplying incorrect, incomplete, or misleading information in response to a formal request. The Commission determined that the infringement was at least negligent (i.e. not deliberate), emphasizing that recipients of information requests are required to ensure their responses are both correct and complete. The parties did not seek clarification from the Commission despite being made aware of the suspected deficiencies.

Given the seriousness of the infringement and its potential to hamper the Commission's ability to investigate, the fine was set at 0.3% of the parties' combined turnover. In recognition of the parties' subsequent proactive cooperation, the Commission applied a 30% reduction to the fine, resulting in a total penalty of approximately €172,000. The fine is imposed jointly and severally on both Eurofield and Unanime Sport, the latter being liable as the ultimate parent at the time of the infringement.

Implications and Ongoing Proceedings. This is the first time the Commission has imposed a fine for providing incomplete information in response to a request for information in an antitrust investigation. It reinforces the message that the Commission will pursue procedural breaches in whatever context. Companies that acknowledge liability and cooperate may, however, benefit from the Commission's cooperation procedure—modelled on cartel settlements—which can simplify the process and reduce fines.

The Commission is not alone and 2025 has seen a number of other competition authorities cracking down on similar behaviour. For instance, in July 2025 the Italian Antitrust Authority fined Ryanair €1,344,000 for submitting inaccurate, incomplete, or misleading information in the course of an abuse of dominance investigation. Similarly, in April 2025 the UK Competition and Markets Authority imposed a £25,000 penalty on Keysight Technologies for failing to fully comply with a statutory information notice during a merger review.

Companies must treat every Commission query, including “simple” requests, with full diligence; clarify any ambiguity; provide complete answers or explain any gaps (e.g., unavailable documents). Moreover, they should expect the Commission to cross-check submissions against material from unannounced inspections and other sources (such as merger notifications and parallel investigations). Hence, it is important to ensure responses are complete and consistent across sources; and to explain any inconsistencies.



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