

《国家市场监管总局对美团实施垄断行为作出处罚》

2021年4月，市场监管总局依据《中华人民共和国反垄断法》，对美团在中国境内网络餐饮外卖平台服务市场滥用市场支配地位行为立案调查。



China's top market watchdog on Friday fined the internet giant Meituan 3.442 billion yuan for abusing its dominant market position in the country's online food delivery platform market and ordered the company to "comprehensively rectify" its operations. The fine is equal to about 3 percent of the Meituan's total domestic sales revenue of 114.748 billion yuan in 2020, according to China's State Administration for Market Regulation (SAMR) in an online statement.

10月8日，市场监管总局宣布，认定美团滥用在中国境内网络餐饮外卖平台服务市场的支配地位，决定处以其2020年中国境内销售额1147.48亿元3%的罚款，计34.42亿元，并要求其进行全面整改。

【词汇讲解】

“滥用市场支配地位”除了上文中的abuse dominant market position以外，也可以用abuse market dominance表示。Abuse这个词可以用作动词或

名词，均表示“滥用，虐待”等意思，比如：power abuse/to abuse power（滥用职权）、child abuse/to abuse a child（虐待儿童）、drug abuse/abuse drugs（药物滥用）、verbal abuse/verbally abuse someone（语言暴力）等。

《国务院反垄断委员会关于平台经济领域的反垄断指南》中列出的滥用市场支配地位行为表现形式包括：不公平价格行为、低于成本销售、拒绝交易、限定交易、搭售或者附加不合理交易条件差别待遇等（unfair pricing, sales below cost, refusal-to-deal, restricted trading, tie-in sales, attaching unreasonable trading conditions and differential treatment）。

市场监管总局成立专案组，依法扎实高效推进案件查办，广泛开展调查取证，获取大量证据材料并全面深入分析，查明案件事实；组织专家反复深入开展研究论证；多次听取美团陈述意见，保障其合法权益；确保本案事实清楚、证据确凿、定性准确、处理恰当、手续完备、程序合法。

China's market watchdog found that, since 2018, Meituan had abused its market position in domestic food delivery services, forcing merchants to sign exclusive cooperation agreements.

经查，2018年以来，美团滥用在中国境内网络餐饮外卖平台服务市场的支配地位，促使平台内商家与其签订独家合作协议。

The company was also found to have taken multiple punitive measures, including charging merchant deposits and employing technological tactics involving data and algorithms, pressuring those merchants to "pick one out of two" to exclude competitors and limit market competition.

该公司通过收取独家合作保证金和数据、算法等技术手段，采取多种惩罚性措施，保障“二选一”行为实施，排除、限制了相关市场竞争。

Those behaviors have weakened the innovative dynamics and vitality of the platform, and harmed the interests of the platform merchants and consumers, said the SAMR.

上述行为削弱平台创新动力和发展活力，损害平台内商家和消费者的合法权益。

The market watchdog has ordered Meituan to stop illegal activities, return nearly 1.289 billion yuan in deposits paid by merchants to cooperate exclusively with the company's food ordering and delivery platform.

市场监管总局责令美团停止违法行为，全额退还独家合作保证金12.89亿元。

Meituan has also been ordered to comprehensively rectify its misconduct, including improving the commission charging mechanism and algorithm rules, safeguarding the legitimate interests of small and medium-sized catering businesses on the platform, and strengthening the protection of the lawful rights and interests of the delivery personnel. 同时，要求其围绕完善平台佣金收费机制和算法规则、维护平台内中小餐饮商家合法权益、加强外卖骑手合法权益保护等进行全面整改。

【词汇讲解】

Commission这个词，常见的意思是“委员会”，比如：中央全面依法治国委员会（the Commission for Law-based Governance under the CPC Central Committee），中央纪律检查委员会（the CPC Central Commission for Discipline Inspection），国家卫生健康委员会（National Health Commission）等，但是在本文的语境中，commission指的是“a fee paid to an agent or employee for transacting a piece of business or performing a service, especially a percentage of the money received from a total paid to the agent responsible for the business”（代理人或员工完成一项交易或服务后收取的费用，尤指从整个交易费用中划出的一定比例的金钱收入），也就是“佣金，提成，抽成”等，比如：He gets a commission for each car he sells（他每卖掉一辆车就有一份提成收入）。

The company should submit reports on the improvements in its practices over the next three years and accomplish regulated, innovative, healthy and sustainable development, according to the SAMR.

美团应连续三年向市场监管总局提交自查合规报告，确保整改到位，实现规范创新健康持续发展。

【相关词汇】

平台经济
platform economy

营商环境
business environment

投资环境
investment environment

市场份额
market share

滥用市场支配地位
abuse of market dominance

“放管服”（简政放权、放管结合、优化服务）
streamline administration and delegate power, improve regulation, and upgrade services

参考来源：新华网