

## Recommendations for the Use of Electronic Document Submissions in Antitrust and Cartel Case Proceedings<sup>1</sup>

The European Commission encourages the use of electronic communication. Correspondents in antitrust and cartel cases are asked to submit documents as electronic files, and preferably by electronic means.

### How to make an electronic submission<sup>2</sup>?

Documents can be submitted electronically:

- Via email to [comp-greffe-antitrust@ec.europa.eu](mailto:comp-greffe-antitrust@ec.europa.eu). Due to technical constraints, the size of a single email sent to DG Competition should not exceed 15 MB. If your message exceeds 15 MB, please split it into separate emails. For leniency applications, please send your email to [comp-lenieny@ec.europa.eu](mailto:comp-lenieny@ec.europa.eu).
- Through the DG Competition's EU SEND platform. More information on how to register for and use EU SEND can be found on the DG Competition website (see [here](#)).
- Through the eRFI application in response to a request for information sent using this application (see [here](#)).

Only these means ensure that the precise time and date of the submission is recorded. This is particularly important for any submissions by the leniency applicants (including the immunity applicants).

If none of these means of electronic submission is possible, documents can be sent in digital devices, such as USB sticks, CDs or DVDs. Floppy disks and magnetic tapes are not accepted. The postal address can be found on the website of DG Competition (see [here](#)).

### How to best prepare the electronic files?

#### Pre-existing<sup>3</sup> files

- Submit pre-existing files in their **original format**, when it is one of the commonly used formats such as MS Office, Open Office or PDF, and with the original metadata<sup>4</sup> intact.
- For emails, .msg and .eml format is recommended. Email containers (for example Lotus Notes .nsf, or Outlook .pst) should be avoided. Where the original electronic file is in a container (zip, rar, 7-zip, etc.), only the relevant electronic files in the container are to be submitted. If it is not possible to submit in any form other than a container, the size of the container should in any way not exceed 500 MB.
- For paper documents without pre-existing electronic original, please submit an electronic scan in PDF format (requirements: see below under "newly created electronic text files").

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<sup>1</sup> These recommendations do not create any new legal rights or obligations, nor alter the legal rights and obligations which arise from the Treaty on Functioning of the European Union, secondary EU law and the case-law of the Court of Justice of the European Union. This note also does not alter the Commission's interpretative notices and established decisional practice.

<sup>2</sup> For leniency applications, see also the information on contact points to be used for the first contact to apply for leniency: [https://ec.europa.eu/competition-policy/cartels/leniency\\_en](https://ec.europa.eu/competition-policy/cartels/leniency_en).

<sup>3</sup> Pre-existing means that the document was not created just for the case or proceedings concerned.

<sup>4</sup> The metadata is data providing information about one or more aspects of the data, such as means of creation of the data, time and date of creation, creator or author of the data, location on a computer network where the data was created.

### Newly created electronic text files

- All newly created electronic files should be **accurate, non-restricted and machine searchable PDF format** files<sup>5</sup>. For table files, please use MS-Excel or Open Office Table.
- A confirmation that a file is a true copy of the original document may be requested at a later stage. Document provider should also be prepared to show the chain of custody for the document.
- The size of a single electronic text file should normally not exceed 80 MB (30 MB if in PDF).

### Audio and video files

- For audio and video files, the size of an individual file should not exceed 500 MB. Provide also a transcript.

### Protection and Encryption

- If there is a need to protect the submission, pack it into a container which is then encrypted (using for example 7-zip encryption). **Individual files should not be restricted<sup>6</sup> or password protected.**

### Grouping

- Provide separate files for every paper document or electronic file that was originally distinct. Do not pack such files into a single PDF file for instance.
- Avoid any form of embedded files<sup>7</sup>.

## **How to name annexes?**

- To facilitate handling of the annexes, use a uniform **continuous numbering** such as Annex 001, Annex 002 etc. **added as a prefix** to the original file name.
- In the event of subsequent submissions, it is recommended not to restart numbering at 001 but continue from the last number in the previous submission.

## **How to deal with files in non-EU languages or languages different to the proceedings?**

- If the original document is in a non-EU language, provide a translation in a language of the proceeding.
- It is recommended to provide a translation when the document is in a language different to the language(s) of the proceeding,
- When submitting translations, do not combine translations and originals into one document.
- The best way of naming translations is to use the name of the corresponding original file, adding the **suffix TR**.

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<sup>5</sup> An accurate PDF file means that the electronic copy of the original document is true, complete and of excellent quality. Non-restricted means that no special electronic security settings are activated. It should be possible to perform optical character recognition, to machine search, to print and to cut-and-paste out of the document.

<sup>6</sup> See footnote 5.

<sup>7</sup> An embedded file is a separate file that is hidden in or connected with the main file.

**Special attention for the submission of non-confidential versions:**

- Submit non-confidential versions separately from the confidential versions
- The technical adequacy of the provided non-confidential version is the responsibility of the submitting party. It is entirely the submitting party's responsibility to make sure that redacted information cannot be retrieved expost, for instance via forensic software.
- If the submission was requested via e-questionnaire, please follow instructions for submission of its non-confidential version, provided together with the e-questionnaire.

The best way of naming non-confidential versions is to use the name of the corresponding confidential file, adding the **suffix NC**.