

PRESS RELEASE

The CNMC clears four mergers in June, all in Phase I

- Bimbo's acquisition of the Siro factory in Paterna was approved subject to conditions.
- An operation was shelved at the applicant's request.

Madrid, 8 July 2020 - The CNMC approved four merger operations in June, all of them in (Phase I). Among them was Bimbo's acquisition of the Siro factory in Paterna (Valencia), which was approved in (Phase I) subject to conditions. In addition, the merger to have Algeco acquire exclusive control of Balat was shelved at the applicant's request.

Administrative timelines were resumed on 1 June, after having been suspended since 14 March as a result of the state of emergency declared in the wake of the COVID-19 pandemic. However, the regulations allowed proceedings to be continued so as to avoid serious harm to the rights and interests of the interested parties, or when it was essential to protect the general interest or to keep services active.

The CNMC agreed to continue assessing cases in response to the interest expressed by the applicants that the mergers be urgently resolved and in those cases in which the CNMC's resolution did not harm the interests of third parties.

As a result, since the state of emergency was declared, the CNMC approved a total of 16 mergers

Mergers approved in June.

[C/1114/20 AMUNDI / SABAM](#)

The asset manager Amundi acquires exclusive control of the Sabadell management agency

On 12 June 2020, the CNMC authorised, in the first phase, the operation to have Amundi Asset Management acquire exclusive control of Sabadell Asset Management (SABAM).

Amundi Asset Management is a subsidiary asset manager of the French banks Crédit Agricole and Société Générale. It is one of the leading asset managers in the world, and the European leader in the retail sector in terms of assets under management.

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Sabadell Asset Management (SABAM) is a Management Company for Collective Investment Institutions, controlled by Banco Sabadell.

The CNMC does not regard this merger as posing a threat to competition in the affected markets, given the low participation of the parties involved in the markets in question. Furthermore, the horizontal overlap that the transaction entails in the asset management market is not very significant, and any potential vertical relationships that would exist are irrelevant.

C 1087/19 BIMBO GROUP/SIRO FACTORY IN PATERNA

The Bimbo Group acquires the Siro Group's packaged bread factory located in Paterna (Valencia)

On 12 June 2020, the CNMC approved, in (Phase I) subject to conditions, the merger through which the Bimbo Group acquired the industrial facility for the manufacture of packaged bread, located in the town of Paterna (Valencia), owned by the Siro Group.

The transaction includes a commercial agreement between Bimbo and Mercadona to supply white-label packaged bread. Siro had been supplying that type of bread to Mercadona from said factory, for a pre-determined length of time.

Bimbo's acquisition of the Paterna factory does not give rise to any competition concerns since there are competitive alternatives in the Iberian peninsula's wholesale market for white-label packaged bread.

However, a series of risks to competition were identified within the framework of the agreement with Mercadona due to Bimbo's reinforced position as a brand manufacturer. The risks regard the potential links between the bakery markets with the distributor brand and the manufacturer brand; as well as the establishment of Bimbo as a priority manufacturer of Mercadona for private-label products.

As a result, the approval is subordinated to the observance of a series of commitments that were deemed necessary to address the competition concerns identified:

- Bimbo undertakes to eliminate any potential contractual or *de facto* link between the bakery products of the Bimbo brand and the private-label products supplied to Mercadona from the Paterna factory.
- Bimbo undertakes, for a pre-determined period, not to initiate negotiations with Mercadona involving bakery products with the Bimbo brand, in addition to those already supplied to Mercadona establishments before the purchase of the Paterna factory; and not to introduce new private-label bakery products in Mercadona.

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- In addition, for a longer period than the previous one, Bimbo undertakes not to agree with Mercadona on its designation as a priority manufacturer of additional private-label bakery products for Mercadona as part of any new supply contract.

These conditions seek to eliminate any potential link, whether contractual or “*de facto*”, between the bakery products owned by Bimbo and those packaged bread products it supplies to Mercadona for its private label; as well as to settle any questions about Bimbo being potentially regarded as a priority manufacturer for the development of products in addition to the existing private-label baking products.

C/1102/20 HENRY SCHEIN / CASA SCHMIDT -ACTIVOS

The American holding company Henry Schein acquires the dental prosthetics business of Casa Schmidt in Spain and Portugal

On 30 June 2020, the CNMC authorised (Phase I), the operation by which the holding company Henry Schein Inc. acquired the business to distribute dental products, implants and orthodontics in Spain and Portugal from Casa Schmidt and Importación Dental Especialidades, S.L.

Henry Schein Spain is the Spanish subsidiary of the American company Henry Schein Inc., which is responsible for distributing a wide range of medical and dental products in Spain.

Casa Schmidt, S.A. is the parent company of the Casa Schmidt Group, which distributes dental and prosthetic products, mainly in Spain and, to a lesser extent, in Portugal.

Importación Dental Especialidades is a company that specialises in distributing products related to the branches of implant dentistry and orthodontics in Spain and Portugal.

The CNMC is of the opinion that the merger does not pose a threat to effective competition in the markets, for various reasons. Firstly, these markets have a multitude of players and there are no large barriers to entry that prevent competitors from expanding or that limit the clients' options when changing suppliers. The market remains strongly competitive both nationally and in Europe, and there is increasing competitive pressure from online distributors.

C/1115/20 ADVANCE PUBLICATIONS, INC. / WORLD ENDURANCE HOLDINGS, INC

Advance acquires exclusive control of sports event organiser World Endurance

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On 30 June 2020, the CNMC authorised, in (Phase I), the operation by which the Advance Publications, INC. group is to acquire sole control of World Endurance Holdings, INC.

Advance Publications INC is an American conglomerate that operates and invests in a wide variety of media, entertainment and technology businesses across 19 countries. In Spain, it publishes digital magazines, provides digital marketing services, produces musical shows, supplies analytical intelligence data on sports and electronic games, and it markets educational software.

World Endurance is a company whose activity focuses on organising mass participation sports events, including triathlons, marathons, etc. It is responsible for organising the "Ironman" triathlon trials and the Madrid marathon.

The CNMC does not believe that this merger could pose a threat to competition in the affected markets, given that there is no horizontal or vertical overlap between the activities of the two parties. It is also not expected to produce a significant conglomerate effect.

C/1100/20 ALGECO / ALQUIBALAT

The CNMC has shelved, at the request of the applicant, the operation to have Algeco acquire exclusive control of Balat

On 12 June 2020, the CNMC agreed to shelve Algeco's complete takeover of Balat, at the request of the applicant, which informed that it was withdrawing from the operation.

The operation was reported before the state of emergency was declared, which led to the suspension of administrative timelines, and the applicant did not request that the procedure be continued, as was required for certain cases.

The parties also did not agree to an extension of the deadline specified in the sale contract.

[More information on the merger assessment procedure.](#)

[Access to the CNMC merger list.](#)