

The CNMC cleared eight mergers in June

- All of them were approved in the first phase of the merger control procedure without commitments.
- The sectors affected by these business operations were the distribution of milk and other dairy products, the wholesale trade of pharmaceuticals, the high-pressure natural gas transport network, funeral services, and medical, health and social care services.

Madrid, 6 July 2023.- The Spanish National Markets and Competition Commission (CNMC) approved eight mergers in June. All were approved in phase I of the merger control procedure and without commitments, as they raised no competition concerns.

Abac SV II acquires sole control of Iberconseil

[C/1387/23 ABAC / IBERCONSEIL](#)

Abac SV II is an investment fund made up of Abac SV Fund II FCR and Abac S Value II SCR S.A. Both entities are managed by Abac Capital Manager SGEIC S.A.U., which is owned by Abac Capital S.L.

Iberconseil is a company founded in Barcelona in 1985 dedicated to the distribution of cheese and other dairy products from more than 18 countries.

This merger does not pose a threat to effective competition in the markets, as there are no horizontal or vertical overlaps between the parties to the transaction.

Cheplapharm acquires sole control of the Zyprexa Business

[C/1388/23 CHEPLAPHARM / NEGOCIO ZYPREXA](#)

Cheplapharm is a pharmaceutical company that belongs to a family group of companies in the same sector with an international presence. It has a portfolio of more than 100 products in different therapeutic areas: cardiology, oncology, neuropsychiatry and infectious diseases, among others. It is indirectly solely controlled by Bran Beteiligungs GmbH (BBG), a holding company with shareholdings in companies active in sectors such as gastronomy, real estate and pharmaceuticals, but not in the markets concerned by the transaction.

Zyprexa is an antipsychotic drug whose active ingredient is olanzapine. The drug is used for the treatment of schizophrenia and acute mixed or manic episodes associated with bipolar disorder.

The transaction does not pose a threat to effective competition in the markets as it does not involve horizontal or vertical overlaps at the level of the relevant market (ATC 5 – olanzapine).

Diselcide acquires sole control of Hidroeléctrica del Cerrajón

[C/1383/23 DISELCIDE / HEC](#)

Diselcide is a company created within the Cide Association of electricity distributors. Diselcide is the parent company of Diselcide Group. Its main activity is the distribution of electricity. Diselcide and its subsidiaries only hold minority stakes in the electricity distribution company Distribución de Almodóvar del Campo S.A., which operates in the province of Ciudad Real. Given that distribution markets are natural monopolies, the market where this company operates does not affect the operation.

HEC is a company based in Córdoba whose main activity is the distribution of electricity in three municipalities of the province of Córdoba. This activity is complemented by the provision of services and the development of directly-related activities such as the construction and maintenance of distribution facilities.

This merger does not pose a threat to effective competition in the markets, as it does not lead to horizontal or vertical overlaps in Spain.

Enagás Transporte acquires sole control of Regasificadora del Noroeste

[C/1384/23 ENAGAS TRANSPORTE / RED GASODUCTOS REGANOSA](#)

Enagás Transporte is the Enagás Group company in charge of regasification, basic and secondary transportation, and storage of natural gas by means of or through the corresponding gas infrastructures or facilities, whether its own or those of third parties, as well as the performance of ancillary or related activities. It is also a transmission system operator (TSO). The Enagás Group operates in seven countries: Spain, the United States, Mexico, Peru, Albania, Greece and Italy.

In Spain, the Enagás Group is present in six regasification plants. Of the five that are active, three are controlled exclusively by the Enagas Group (Barcelona, Huelva, and Cartagena) and another two are controlled jointly with other entities (Sagunto and Bilbao). It also has a high-pressure gas transport network.

Reganosa's gas pipeline network provides high-pressure natural gas transport services through the network that connects the liquefied natural gas (LNG) regasification terminal in Mugardos with the Tui – Llanera gas pipeline in Guitiriz and Abegondo. It also transports natural gas directly to the combined cycle plants of As Pontes and Sabón, to the refinery in A Coruña, as well as to the towns of As Pontes and Cerceda. Reganosa is a transmission system operator (TSO).

The market affected by the operation is the primary gas transmission, which has been segmented in precedents between the backbone network and the local influence network. These are markets where each operator's primary transmission network constitutes a natural monopoly. Each operator holds 100% of the respective primary transmission network, whether a backbone or local influence network, and there is no competition between the different operators.

Furthermore, the markets for primary gas transmission are vertically related to the markets for import infrastructure, where the notifier is present, which are natural monopolies. Each operator holds a 100% share of its regasification infrastructures without any competition between them. However, regasification, basic storage, transmission and distribution are activities closely regulated by the Spanish Hydrocarbons Act.

Therefore, given their consideration as natural monopolies and the closely regulated nature of the markets affected by this transaction, it is not expected that the transaction will give rise to competition risks. Nor will it have any significant effects on benchmark competition in the primary high-pressure gas transmission market, given the residual share of Reganosa's gas pipeline network in the total existing network in Spain.

ASV Funeser acquires sole control of three funeral parlours owned by Albia Gestión de Servicios in the province of Valencia

[C/1389/23 FUNESER / ALBIA](#)

Funeser is a company based in Spain that provides funeral services, including transport, funeral parlour, crematorium and cemetery services. The company is owned by Auto Sport and Ambulancia Sanitarias S.L., which also controls the insurance company Meridiano S.A. Compañía Española de Seguros, which is vertically related to the acquired company through its funeral insurance business.

Albia's assets are three privately owned funeral parlours in Carcaixent, La Pobra Llarga and Algemés (Valencia).

The transaction does not lead to significant changes that would pose a threat to effective competition in the current structure of the affected markets.

Asterion Industrial Infra Fund II FCR and SSG Matrix acquire joint control of Grupo SSG.

[C/1390/23 ASTERION - SSG MATRIX / GRUPO SSG](#)

Asterion is an independent Spanish investment and management firm focused on the European infrastructure sector and, in particular, on telecommunications and energy and utilities companies.

SSG is a Spanish company primarily engaged in medical transport by ambulance throughout Spain and Portugal. Specifically, the medical transport services offered by the SSG Group include the following: emergency transport, transport of critical patients, scheduled transport, medical coverage in emergencies and natural disasters and field hospitals, as well as other ancillary services related to medical emergencies.

The operation will not alter the competitive structure of the affected market due to the absence of horizontal overlaps or vertical relationships between the activities carried out by the two companies. The transaction is not likely to impede effective competition.

Spaicol Spain acquires sole control of Centro Avanzando de Diagnóstico PET.

[C/1392/23 SPAICOL SPAIN / CADPET](#)

Spaicol Spain S.L.U. is a Spanish company belonging to Grupo Mercurius, a group of companies active in the healthcare sector. Grupo Mercurius provides radiotherapy services in Spain through a clinic located in Madrid. Outside Spain, in Portugal, it is active in the health sector, providing consultancy or planning of oncological radiotherapy services, among others.

Grupo Mercurius is ultimately controlled by Grupo Icon. Within the healthcare sector, the latter has investments in the health sector in Germany, focusing on radiotherapy services and other types of techniques.

Centro Avanzado de Diagnóstico PET S.A. is a Spanish company dedicated to the provision of diagnostic imaging services using nuclear medicine techniques for the detection and monitoring of diseases such as cancer or neurodegenerative diseases. To this end, it uses two types of techniques: PET-CT technique and SPECT scintigraphy. The company operates in Cadiz, Córdoba, Granada, Málaga and Sevilla.

The transaction does not pose a threat to effective competition, since it does not involve horizontal or vertical overlaps between the parties.

GMH acquires sole control of Diaverum

[C/1393/23 GMH/DIAVERUM](#)

GM Healthcare Ltd is a global healthcare technology company operating in the medical sector. GMH is solely controlled by G42, which is the Abu Dhabi-based holding company of a technology group focused on the development and implementation of various AI and IT solutions in multiple sectors, including healthcare and life sciences.

Diaverum is a provider of private home dialysis treatments with specialised clinics globally, mainly in Europe.

In Spain, Diaverum operates through its subsidiary Diaverum Servicios Renales, S.L., providing private haemodialysis treatments and other complementary services to public patients through the corresponding public healthcare agreements that the company has with public administrations.

As the transaction does not involve horizontal or vertical overlaps, it is not likely to create an obstacle to effective competition in the markets.

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