

SPANISH COMPETITION *Highlights...*

Weekly follow-up: 27 Feb – 3 Mar

Cleared the Auchan Retail Spanish subsidiary's takeover of 234 retail distribution outlets and 2 logistics warehouses, but not without commitments...

The Spanish Competition Authority (CNMC) has cleared, in the first phase of the merger control procedure and subject to commitments, the acquisition by **Alcampo**, the Spanish subsidiary of Auchan Retail, of 234 retail distribution outlets and the logistics platform activity of two warehouses located in the Province of Valladolid, previously owned by **Grupo DIA**.

The transaction led to a high degree of horizontal overlap in the market for the retail distribution market for self-service daily consumption products in several municipalities. Particularly in the municipality of Ejea de los Caballeros and in a defined area of influence in the centre of Zaragoza.

In order to avoid the potential risk of higher retail prices and a decrease in the diversity of products offered to consumers, **Alcampo submitted a set of commitments which the CNMC has found sufficient to mitigate the risks:** (i) to divest the Dia supermarket purchased in Ajea de los Caballeros; (ii) to divest one of the Dia supermarkets acquired in an area in the centre of Zaragoza; (iii) to not acquire establishments in said area in the centre of Zaragoza; and (iv) Additional commitments to reinforce the effectiveness of the divestment commitments.

Further insights...

- The CNMC is increasingly embracing first phase authorisation with commitments. This decision joins a total of 5 operations authorised in the first phase with commitments since October 2022 (C/1321/22, *KKR/IVI*; C/1318/22, *WEDDING PLANNER / ZANKYOU VENTURES*; C/1295/22, *KARNOV / TR ESPAÑA / WK ESPAÑA*; C/1340/22, *HEFAME/COFARCU*).
- This clearance represents a new transaction in the retail supermarket sector. The last one took place in 2021, when **El Corte Inglés** acquired sole control of **Sanchez Romero**.