EU MERGER CONTROL
Interventions from December 2019

Since December 2019, 47 transactions were approved with remedies (of which 34 were cleared in Phase 1 and 14 after an in-depth Phase 2 investigation). Remedies can be structural (such as full divestments), quasi-structural (e.g. data silos) or behavioural (such as access or interoperability conditions). Three transactions were approved in Phase 2 without remedies, and 9 transactions were abandoned while under in-depth review, three of which after a Statement of Objections had been issued. Three proposed transactions has been prohibited.

1. **Varta AG acquires Energizer’s divested business**
   - **BATTERIES AND PORTABLE LIGHTING**
   - Phase 1 Commitments Decision: supply hearing-aid batteries globally

2. **Danaher Corporation acquires General Electric’s Healthcare Life Sciences Biopharma Business**
   - **BIOPROCESSING**
   - Phase 1 Commitments Decision: divestment: 5 biotech equipment and consumables businesses around the world

3. **AbbVie acquires Allergan**
   - **BIOLOGICAL TREATMENTS FOR INFLAMMATORY BOWEL DISEASES**
   - Phase 1 Commitments Decision: divestment: pipeline R&D project in inflammatory bowel diseases

4. **Synthomer acquires Omnova**
   - **SPECIALTY CHEMICALS**
   - Phase 1 Commitments Decision: divestment: Synthomer’s global VP Latex business

5. **Assa Abloy acquires Agta Record**
   - **PEDESTRIAN AND INDUSTRIAL AUTOMATIC DOORS**
   - Phase 1 Commitments Decision: divestment: door businesses in certain EU countries and the UK

6. **Merger of Mylan and Pfizer’s Upjohn Division**
   - **PHARMACEUTICAL PRODUCTS AND PREPARATIONS**
   - Phase 1 Commitments Decision: divestment: Mylan’s business in several relevant markets

7. **Johnson & Johnson acquires Tachosil**
   - **HAEMOSTATIC PATCHES**
   - Opening of phase 2 investigation on 25 March 2020
   - Withdrawal of notification on 8 April 2020

8. **Gategroup acquires Lufthansa Service Group (LSG EU)**
   - **IN-FLIGHT CATERING SERVICES**
   - Phase 1 Commitments Decision: divestment: overlap businesses, including intangible assets

9. **United Technologies Corporation (UTC) acquires Raytheon**
   - **DEFENCE COMMUNICATION EQUIPMENT**
   - Phase 1 Commitments Decision: divestment: Military communications businesses in the United States

10. **Telecom Italia and Vodafone acquire joint control of INWIT**
    - **TELECOMMUNICATIONS**
    - Phase 1 Commitments Decision: divestment: Make space available on 4,000 towers in Italy for third parties

11. **Aurubis acquires Metallo**
    - **METAL RECYCLING (COPPER)**
    - Phase 2 (Article 8(1)) Concentration cleared without remedies

12. **Creation of JVs by Boeing and Embraer**
    - **AIRCRAFT MANUFACTURE**
    - Opening of phase 2 investigation on 4 October 2019
    - Withdrawal of notification on 8 May 2020

13. **Elanco Animal Health Inc. acquires Bayer AG’s animal health division**
    - **PHARMACEUTICAL PRODUCTS FOR PETS AND LIVESTOCK**
    - Phase 1 Commitments Decision: divestment: products/pipeline assets for certain products in the EEA/UK, and for certain products globally

14. **PKN Orlen acquires Lotos**
    - **CRUDE/REFINED OIL, NATURAL GAS, MOTOR/JET FUEL**
    - Phase 2 commitments decision: divestment/commitment: various assets in Poland; make jet fuel available to competitors in the Czech Republic

15. **Alstom acquires Bombardier Transportation**
    - **VERY HIGH SPEED TRAINS, MAINLINE TRAINS AND SIGNALLING**
    - Phase 1 Commitments Decision: divestment: assets in “Zefiro V300”, assets in France and Germany, supply of legacy OBUs to NL
Sigma/Aldrich
LABORATORY CHEMICALS
Infringement decision – fine of €7.5 million
Provision of misleading information during Merck takeover investigation

3 May 2021

Acquisition of Willis Towers Watson by Aon
INSURANCE AND INVESTMENT SERVICES
Phase 2 Commitments Decision
Divestment: WTW reinsurance/commercial risk broking business to Gallagher, plus AON’s German pension and investment scheme

9 July 2021

Acquisition of Telekom Romania by Orange
TELECOMMUNICATIONS SERVICES
Phase 1 Commitments Decision
Divestment: TKR’s 30% shareholding in Telekom Romania

28 July 2021

Illumina/Grail
PHARMACEUTICALS
Statement of Objections
Interim Measures
Alleged breach of the standstill obligation

20 September 2021

Acquisition of IHS Markit by S&P Global
COMMODITIES AND FINANCIAL DATA
Phase 1 Commitments Decision
Divestments: businesses in commodity assessments and financial data

22 October 2021

Proposed acquisition of DSME by HHIH
WORLDWIDE CONSTRUCTION OF LARGE LIQUIFIED GAS CARRIERS
Transaction Prohibited

13 January 2022

Acquisition of Air Europa by IAG
FREIGHT AND PASSENGER AIR TRANSPORT SERVICES
Opening of Phase 2 Investigation on 29 June 2021
Withdrawal of notification on 16 December 2021

16 December 2021

Derichebourg Environnement/Groupe Écore Holding
METAL SCRAP RECYCLING
Phase 1 Commitments Decision
Divestment: 4 recycling plants, incorporating a shredder and 4 collection sites in France.

16 December 2021

Acquisition of Suez by Veolia
WATER COLLECTION, TREATMENT AND SUPPLY
Phase 1 Commitments Decision
Divestments: businesses in commodity assessments and financial data

14 December 2021

Derichebourg Environnement/Groupe Écore Holding
METAL SCRAP RECYCLING
Phase 1 Commitments Decision
Divestments: 4 recycling plants, incorporating a shredder and 4 collection sites in France.

29 October 2021

12 January 2022

Acquisition of Suez by Veolia
WATER COLLECTION, TREATMENT AND SUPPLY
Phase 1 Commitments Decision
Divestments: businesses in commodity assessments and financial data

14 December 2021

Meta acquires Kustomer
CUSTOMER RELATIONSHIP MANAGEMENT (CRM) SOFTWARE
Phase 2 Commitments Decision
Commitment: Access to Meta’s messaging channel APIs to competing CRM providers

27 January 2022

Acquisition of Arm by NVIDIA
MANUFACTURE OF SEMI-CONDUCTORS
Opening of Phase 2 investigation on 27 October 2021
Withdrawal of notification on 8 February 2023

8 February 2023

Cargotec/Konecranes
CONTAINER AND CARGO HANDLING EQUIPMENT
Phase 2 Commitments Decision
Divestment: Cargotec: cranes and straddle/shuttle carrier business, Konecranes: mobile equipment business

24 February 2022

Acquisition of Recticel by Greiner
TECHNICAL FOAMS
Opening of Phase 2 investigation on 25 November 2021
Withdrawal of notification on 3 March 2022

3 March 2022