

**THE CONTROL OF CONCENTRATIONS BETWEEN ENTERPRISES LAW**  
**No. 83(I)/2014**

**Notification of a concentration concerning the acquisition by DeLaval Holding  
BV of the share capital of the subsidiaries of Avon Rubber p.l.c., which  
constitute its dairy business**

Commission for the Protection of Competition:

Mrs. Loukia Christodoulou,	Chairperson
Mr. Panayiotis Oustas,	Member
Mr. Aristos Aristidou Palouzas,	Member
Mr. Polinikis Panayiotis Charalambides	Member

Date of Decision: 27/07/2020

**SUMMARY OF THE DECISION**

On 13/07/2020, the Commission for the Protection of Competition (hereinafter the “Commission”) received on behalf of DeLaval Holding BV, a notification of a proposed concentration. The notification was filed according to Section 10 of the Control of Concentrations between Enterprises Law 83(I)/14 (hereinafter the “Law”).

The notification concerns a concentration, according to which, DeLaval Holding BV, will acquire the share capital of the subsidiaries of Avon Rubber p.l.c., which constitute its dairy business.

- DeLaval Holding BV is a company duly registered in accordance with the laws of the Netherlands. DeLaval Holding BV is part of Tetra Laval Group, a private international group of companies, active in the development,

manufacture and marketing of equipment for milk production and livestock production, food processing solutions and the provision of packaging equipment and solutions.

- The target in this concentration is the business unit Milkrite InterPuls, which is owned by Avon Rubber p.l.c.. Milkrite InterPuls consists of sales of consumables used for milking dairy animals (mainly cows, goats and sheep), as well as related products, equipment, services and accessories.

The concentration is based on “Share Sale and Purchase Agreement” dated 2<sup>nd</sup> of July 2020, between the Purchaser and the Seller (hereinafter “Agreement”). Based on this Agreement, the Purchaser will acquire the 100% of the share capital of Target.

The Commission, taking into account the facts of the concentration, has concluded that this transaction constitutes a concentration within the meaning of section 6 (1)(a)(ii) of the Law, since it leads to a permanent change of control of the Target.

Furthermore, based on the information contained in the notification, the Commission found that the criteria set by section 3 (2) (a) of the Law were satisfied and therefore the notified concentration was of major importance falling within the scope of the Law.

The relevant product market in this case was defined as the market of a) the Interface Equipment and (b) the Replacement of PCI Equipment (Precision, Control, Intelligence). For the purposes of the present case, the geographic market of the relevant markets was defined as that of the Republic of Cyprus.

According to the notification, there is a horizontal overlap in both aforementioned markets between the activities of the parties in Cyprus.

The Commission noted that there is no an affected market according to Annex I of the Law, regarding the horizontal overlap of the activities of the participating companies in Cyprus, due to the fact that the joint market share in both markets are less than 15%.

The Commission, on the basis of the factual and legal circumstances, unanimously decided that this concentration does not create or strengthen a dominant position in the affected market and therefore the concentration does not raise serious doubts as to its compatibility with the operation of the competition in the market.

Therefore, the Commission, acting in accordance with section 22 of the Law, unanimously decided not to oppose the notified concentration and declare it as being compatible with the operation of the competition in the market.

Loukia Christodoulou  
Chairperson of the  
Commission for the Protection of Competition