

**THE CONTROL OF CONCENTRATIONS
BETWEEN ENTERPRISES LAWS 1999 TO 2000**

**Notification of concentration regarding the acquisition of share capital of
Artsana Sud S.p.A. by Ontex IV SA through Ontex BVBA**

Commission for the Protection of Competition:

Mrs. Loukia Christodoulou,	Chairperson
Mr. Leontios Vryonides,	Member
Mrs. Eleni Karaoli,	Member
Mr. Demetris Pitsillides,	Member
Mr. Costas Melanides	Member

Date of decision: 8 March 2013

SUMMARY OF THE DECISION

On 4 February 2013, the Commission for the Protection of Competition (hereinafter the «Commission») received notification of a proposed concentration by Ontex BVBA, in accordance with section 13 of the Control of Concentrations between Enterprises Law (Number 22(I)/99) (hereinafter the «Law»). The notification concerns the acquisition of share capital of Artsana Sud S.p.A. (hereinafter «Artsana Sud») by Ontex BVBA.

Ontex BVBA is a company duly registered under the laws of Belgium and is active in the sector of manufacturing and sales of hygienic disposables, comprising baby care products, feminine hygiene products and adult incontinence products.

Artsana Sud S.p.A. is a company duly registered under the laws of Italy and is active in the sector of manufacturing and sales of adult incontinence products and in the trade of

certain hygiene and skin care products and cosmetic products for seniors, shampoo and shower gel.

This transaction is based on a Share Purchase Agreement (hereinafter the «Agreement»). According to the said Agreement, Ontext BVBA will acquire 100% of the share capital of Artsana Sud.

The Commission, taking into account the above facts and events concerning this concentration has concluded that this transaction constitutes a concentration within the meaning of section 4 (1) (b) of the Law, since it results in the change of control on a permanent base of Artsana Sud.

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 under the Law.

The relevant product market in this case was defined to be the production and distribution of adult incontinence products. The geographical market was defined as the controlled area by the Republic of Cyprus.

In the present case, since only Artsana Sud sells legally the adult incontinence products within the Republic of Cyprus, the concentration does not create any affected markets as determined in Annex I of the Law.

The Commission, on the basis of the factual and legal evidence of the case and having taken into consideration the report prepared by the Service, unanimously decided that this concentration does not create or strengthen a dominant position as there is no affected market and therefore the concentration does not raise serious doubts as to its compatibility with the competitive market.

Therefore, the Commission, acting in accordance with section 18 of the Law, unanimously decided not to oppose the notified concentration and declare it as being compatible with the requirements of the competitive market.

Mrs. Loukia Christodoulou
Chairperson of the Commission for the Protection of Competition