

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

**Notification of concentration regarding the acquisition by EQT Fund
Management S.a.r.l., via EQT IX, of the Natural Colors business of Chr. Hansen
Holding A/S**

Commission for the Protection of Competition:

Mrs. Loukia Christodoulou,	Chairperson
Mr. Andreas Karydis,	Member
Mr. Panayiotis Ousta	Member
Mr. Aristos Aristeidou Palouzas	Member
Mr. Polynikis-Panagiotis Charalambides	Member

Date of Decision: 12/11/2020

SUMMARY OF THE DECISION

On 30/10/2020, the Commission for the Protection of Competition (hereinafter the “Commission”) received on behalf of EQT Fund Management S.a.r.l. (hereinafter “the Buyer” or the “EQT”), 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, the Buyer, via Holdingselskabet af 18. september 2020 ApS (hereinafter the «Holdingselskabet»),

special purpose vehicle of investment fund EQT IX, will acquire the Natural Colors business of Chr. Hansen Holding A/S (hereinafter the “Business-Target”).

- EQT IX is controlled by EQT Fund Management S.à r.l. and all together belong to the group EQT, which is the ultimate purchaser on this concentration. EQT is global investment group of companies that provides wide range of assets funds and other investment products. EQT group of companies also provides capital market solutions for enterprises, its portfolio companies and other customers. The private equity funds, which EQT manages, invest in companies in several sectors.
- The Target consists of the shares of Chr. Hansen Natural Colors A/S, the shares of some other subsidiaries of Chr. Hansen Holding A/S which are relevant with Natural Colors business of Chr. Hansen, and the total of assets of some other companies which are relevant with the business. The Target is active in the development, production and sale of natural colourants to customers to various end markets, including dairy and food preparation products, confectionery, beverages, ice cream, meat and processed foods, dietary supplements and more. It also active in sales of artificial colourants and phytonutrients.

The concentration is based on the Master Transfer Agreement dated 26th of September 2020, between Chr. Hansen Holding A/S and Holdingselskabet af 18. september 2020 ApS (hereinafter the «Agreement»)

Based on this Agreement, the Holdingselskabet will acquire the Target by Chr. Hansen Holding A/S.

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 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 markets in this case were defined as the trade of colorants for production of food in the territory of the Republic of Cyprus.

According to the notification, there is no horizontal or vertical overlap in the activities of participants in the concentration, in Cyprus.

The Commission, on the basis of the factual and legal circumstances, 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 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