# The Autorité dismisses a case concerning practices implemented in the meat-cutting sector

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Meat-cutting sector: for the first time, the *Autorité* examines, under antitrust law, mergers below the national notification thresholds, and dismisses the case

For the first time, the *Autorité de la concurrence* examined, under antitrust law, mergers below the national notification thresholds that had not been subject to an *ex ante* review. The *Autorité* applied the CJEU *Towercast* judgement of 16 March 2023, under which it can now examine, under certain conditions, whether a merger below the judicial review thresholds constitutes an anticompetitive practice contrary to the Treaty on the Functioning of the European Union (TFEU) – in this case, an agreement contrary to Article 101.

In this case, the *Autorité* dismissed practices involving Akiolis, Saria and Verdannet, which consisted of creating and implementing an agreement to allocate the French meat-cutting market, by geography, through 21 cross-divestitures of business assets in 2015.

First, the *Autorité* found that the information in the case did not establish the existence of an overall geographic market allocation plan, insofar as the exchanges between the parties took place solely as part of preparatory discussions for the mergers.

In addition, the *Autorité* took the view that the merger agreements did not have an anticompetitive purpose and that the information in the case did not allow for an analysis of the effects of the agreements on the market concerned by the practices.

**PRESS RELEASE OF 15 MAY 2024**

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See the press release