The European Commission refers the examination of Michelin's acquisition of Allopneus to the Autorité de la concurrence

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On 21 October 2021, the European Commission referred to the *Autorité de la concurrence* the examination of the Michelin Group's acquisition of exclusive control of the electronic tyre sale site Allopneus and its subsidiaries, over which it had until then had joint control. The Michelin and Allopneus groups are both active in the tyre distribution sector in France.

The Commission considered that the *Autorité* is best placed to examine the transaction

This referral is made pursuant to Article 4(4) of EU Merger Control Regulation 139/2004.

In agreement with the companies concerned, the European Commission considered that the *Autorité* was best placed to examine this merger, particularly in view of its impact on the national market and the *Autorité's* experience in this sector. The Michelin Group will therefore have to notify the transaction to the *Autorité*, which now has the jurisdiction to examine it.

Referrals by the European Commission to the Autorité de la concurrence

The *Autorité de la concurrence* regularly receives transaction referrals from the Commission, which demonstrates the flexibility of the European merger control system. This referral procedure, provided for in European Regulation 139/2004, allows the Commission, where the concentration "threatens to significantly affect competition in a market within that Member State presenting all the characteristics of a distinct market", to refer the examination of the transaction to the national authority best placed to assess its effects on competition.

This is the 33rd transaction referred by the European Commission to the *Autorité de la concurrence* since 2009[1]. The *Autorité* is currently conducting an investigation into another transaction referred by the Commission: the acquisition of Conforama by Mobilux (But).

[1] The most recent transactions subject to a referral decision concern Elsan/C2S in the clinics sector (21-DCC-86), the takeover of Suez RV OSIS by SARP, a subsidiary of Veolia (21-DCC-71), Aldi/Leader Price (20-DCC-164); and the creation of Salto (19-DCC-157), the television service of the France Télévisions, Métropole Télévision and TF1 groups.

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