Chemical pathology laboratories: the Autorité clears the acquisition of the Labexa Group by the Cerba Group, subject to conditions

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Parties to the transaction

The Cerba Group is mainly active in the chemical pathology sector and operates a network of 495 laboratories in France. It also has an international presence.

The Labexa Group is also active in the chemical pathology sector through 94 laboratories located mainly in the south-western region of France.

The markets examined

The parties are present as purchasers, in the market for the supply of biological equipment, reagents and consumables.

They compete in the market for "routine" tests. The Cerba and Labexa groups own medical analysis laboratories whose business consists of providing services for tests commonly prescribed and performed by all laboratories, such as biochemistry tests (blood and urine analyses, etc.) and haematology tests.

Cerba has undertaken to sell a medical analysis site in response to competition issues identified in the Hautes-Pyrénées *département*.

The transaction does not affect competition in the markets for the supply to suppliers. Nor does it raise any competition issues in the routine chemical pathology markets in most of the local areas studied. However, the *Autorité* considered that there was a serious risk of harm to competition in the market for routine chemical pathology tests in the Hautes-Pyrénées *département*.

To maintain competitive intensity in this *département*, the new entity has committed to divest the medical analysis site currently owned by Labexa and located in Maubourguet (65700). The effect of this divestiture is to remove the overlapping activities resulting from the transaction in this area.

The divestiture of the site will have to be approved by the *Autorité*, which will ensure that the buyer is independent of the new entity and able to stimulate competition. An independent trustee approved by the *Autorité* will ensure the implementation of the commitments.

In view of the commitments made by Cerba, the *Autorité* has cleared the present transaction.

- ***The full text of the decision will soon be published on the Autorité's website.***

The decision of the *Autorité de la concurrence* is taken in accordance with the merger regulations provided for in Articles L. 430-1 et seq. of the French Commercial Code (Code de commerce). It is not intended to replace any decision by the regional health agencies (ARS), whose merger control in the chemical pathology sector has distinct public health objectives.

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