



# News Release

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## **ANTICIPATED ACQUISITION BY PAN FISH ASA OF MARINE HARVEST NV**

### **Statement of issues**

The Competition Commission (CC) has today published an issues statement as part of its inquiry into the anticipated acquisition by Pan Fish ASA of Marine Harvest NV.

The CC has been asked to decide whether the acquisition may be expected to result in a substantial lessening of competition in the UK market for the supply of farmed Atlantic salmon in the EEA (European Economic Area).

The merger was referred by the Office of Fair Trading (OFT) on 6 July 2006 and the CC is required to publish its final report by 20 December 2006.

The issues statement follows the initial process of gathering information, views and evidence and identifies clearly for all interested parties the specific questions and areas the inquiry is examining. Last week the inquiry group (the Group) made a site visit to Scotland to see the salmon farming industry first hand. The Group will also be holding hearings in the near future in Edinburgh.

The issues statement will form the basis for the hearings with Pan Fish, Marine Harvest and other interested parties. The full issues statement is available on the CC website at [www.competition-commission.org.uk/inquiries/ref2006/panfish/index.htm](http://www.competition-commission.org.uk/inquiries/ref2006/panfish/index.htm) and covers issues related to:

- (a) market definition;
- (b) the counterfactual—what may have been expected to happen in the absence of the merger; and
- (c) assessment of the competitive effects of the merger.

If the Group considers that the merger may be expected to result in a substantial lessening of competition, it will consider whether and, if so, what remedies might be appropriate and will issue a remedies statement at a later date. Any relevant customer benefits may be taken into account in determining remedies.

This issues statement should not be seen as implying that the Group has established any competition concerns—the CC has yet to reach any conclusions on this inquiry. The purpose of making the statement of issues public is to inform all interested parties of these issues and give them an opportunity to raise any further points with the CC.

Anyone wishing to comment on any of the issues set out is requested to do so by 31 August 2006 in writing to:

Inquiry Secretary (Pan Fish/Marine Harvest merger inquiry)  
Competition Commission  
Victoria House  
Southampton Row  
LONDON  
WC1B 4AD

Or email: [pan.fish@cc.gsi.gov.uk](mailto:pan.fish@cc.gsi.gov.uk)

The CC will now continue to gather evidence in this inquiry and will publish its provisional findings according to the administrative timetable available on the CC website.

#### **Notes to editors**

1. The Enterprise Act 2002 empowers the OFT to refer to the CC completed or proposed mergers for investigation and report which create or enhance a 25 per cent share of supply in the UK (or a substantial part thereof) or where the UK turnover associated with the enterprise being acquired is over £70 million.
2. The Pan Fish/Marine Harvest Group consists of five members: Christopher Clarke (Group Chairman), Christopher Bright, Ivar Grey, Professor Michael Waterson, Jonathan Whiticar.
3. The CC has a 24-week period in which it is required to publish its report, which may be extended by no more than eight weeks if it considers that there are special reasons why the report cannot be published within that period.
3. Further information on the CC and its procedures, including its policy on the provision of information and the disclosure of evidence, can be obtained from its website at: [www.competition-commission.org.uk](http://www.competition-commission.org.uk).
4. Media enquiries should be directed to Rory Taylor on 020 7271 0242 (email: [rory.taylor@cc.gsi.gov.uk](mailto:rory.taylor@cc.gsi.gov.uk)).