



Autorité de la Concurrence
de la Nouvelle-Calédonie

**Decision no. 2024-DEC-02 of 12 June 2024
on the relocation and extension of a store under the brand "Naturalia" with a
surface area of 286 m² in the "Green Retail" shopping centre in Dumbéa**

**Only the French version is authentic and it prevails in the event of its
differing from the translated version**

Summary¹

Pursuant to this decision, the *Autorité de la concurrence de la Nouvelle-Calédonie* (hereinafter "the *Autorité*") conditionally authorises the operation by SNC Naturabam of a store under the brand "Naturalia" in the "Green Retail" shopping centre in Dumbéa.

Naturabam, a subsidiary [$> 50\%$] owned by Group Bernard Hayot ("GBH"), is active in the food retail distribution of organic products.

On 28 February 2024, GBH submitted to the *Autorité* a notification file regarding the relocation and expansion by 102 m² of a store under the brand "Naturalia", with a current surface area of 184 m² located in the Dumbéa Mall shopping centre, within the "Green Retail" shopping centre in Dumbéa.

To assess the effects of the proposed transaction on competition, the *Autorité* analysed the upstream markets for the supply of organic products, both of local and global dimension depending on the category of products concerned, as well as the downstream market for the retail distribution of organic products, taking into account large specialised retailers (*GSS – grandes surfaces spécialisées*) as well as large food stores (*GSA – grandes surfaces alimentaires*) with a section dedicated to organic products.

In accordance with its decision-making practice and the results of the market test and public consultation, the *Autorité* retained a catchment area corresponding to a 15-minute drive around the target store.

As regards the upstream supply markets, the competitive analysis shows that GBH will continue to face competition from retailers specialising in organic products, as well as from large groups that own large food stores, such as the Carrefour group and the Korail chains, so that the proposed transaction is not likely to harm competition on these markets.

Regarding the market for the retail distribution of organic products, the competitive analysis showed that, after the transaction, GBH would have a market share of over 50%. Moreover, if several competing brands are present, given the differences in market shares, the competitive pressure they exert is likely to be mitigated. GBH is therefore *de facto* the largest player in the market, including in terms of number of shops.

¹ This summary is strictly for information purposes. Only the numbered reasons of the decision are authentic.

Consequently, the *Autorité* considered that the transaction entailed a risk of horizontal effects which, due to GBH's dominant position, could result in an increase in prices on the downstream market for the retail distribution of organic products and/or a limitation in the development of actual or potential competition.

In order to address these competition concerns, Naturabam proposed to maintain the surface area of its store at the initial size of 184 m² after the relocation.

This commitment, which is clear, precise and does not raise any doubts as to its implementation, was accepted by the *Autorité*.

Consequently, the transaction was authorised subject to compliance with this commitment.