

***Case No COMP/M.3228 -
NESTLE / COLGATE-
PALMOLIVE / JV***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 10/12/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10/12/2003

SG (2003) D/233366

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the Notifying Parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.3228 - Nestlé/Colgate-Palmolive/JV
Notification of 10.11.2003 pursuant to Article 4 of Council Regulation (EEC)
No. 4064/89¹, as last amended by Regulation (EC) No 1310/97²
Publication in the Official Journal of the European Union No. C 277,
18.11.2003.**

1. On 10/11/2003, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89, as last amended by Regulation (EC) No 1310/97, by which the undertaking Nestlé S.A.(Switzerland) and Colgate-Palmolive Company (USA) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of three newly created joint ventures by way of transfer of assets and activities and cash contributions.
2. The business activities of the undertakings concerned are:
 - Nestlé S.A: enterprise in the nutrition and food business
 - Colgate-Palmolive: active in the consumer products business.

¹ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

² OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- JVs: development, production, marketing, distribution and sale of portable oral care products in the UK, Canada and Ireland.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph a, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89³.
 4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission

(Signed)

Mario MONTI
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.