

***Case No COMP/M.3604 -
PERMIRA / AHOLD***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 26/11/2004

***In electronic form on the EUR-Lex website under document
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26/11/2004

SG-Greffe(2004) D/205383

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying party

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

Subject: Case No. COMP/M.3604 – Permira/Ahold Iberia

Notification of 22.10.2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹

Publication in the Official Journal of the European Communities No. C 266, 29.10.2004, page 10.

1. On 22.10.2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking CMA, S.à.r.l. (Luxembourg) ultimately controlled by Permira Holdings Ltd (“PHL”, Guernsey), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Ahold Iberia B.V. (“Ahold Iberia”, The Netherlands) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for undertaking PHL : private equity fund;
 - for undertaking Ahold Iberia: through Ahold Supermercados, active in the procurement, wholesale and retail of daily consumer goods and related services in Spain.

¹ OJ L 24, 29.1.2004 p. 1.

3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
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 (EC) No. 139/2004.

For the Commission,

Neelie Kroes
Member of the Commission
signed

² Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.