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***Case No COMP/M.3912 -
BIDVEST / DELI XL***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 31/08/2005

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 31/08/2005

SG-Greffe(2005) D/204745

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

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

**Subject: Case No. COMP/M. 3912 – BIDVEST / DELI XL
Notification of 26/07/2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 189, dated 3/08/2005, page 6.**

1. On 26/07/2005, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Bid Foodservice (UK) Limited (“Bid Foodservice”, UK), belonging to the Bidvest Group Limited (“Bidvest Group”, South Africa), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Deli XL BV (“Deli XL”, The Netherlands) by way of purchase of shares and assets (including debt).
2. The business activities of the undertakings concerned are:
 - for Bidvest Group and Bid Foodservice: investment holding companies, inter alia active in the food services sector in the UK through BFS Group Limited (trading under the name “3663 First for Food service”);
 - for Deli XL: wholesaler of food services for out-of-home consumption, active in Belgium and the Netherlands.

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 (c), 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

(signed)

Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32