

***Case No COMP/M.4390 -
PHL / IBFF***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 20/10/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.10.2006

SG-Greffe(2006) D/206336

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.4390 – PHL/IBFF
Notification of 20/09/2006 pursuant to Article 4 of Council Regulation (EC)
No. 139/2004¹
Publication in the Official Journal of the European Union No. C233, dated
28/09/2006, page 4.**

1. On 20/09/2006 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Liberator Bidco Ltd (“Liberator”, UK), part of Permira Holdings, acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the European frozen food business of the Unilever Group (“IBFF”, UK) by way of purchase of shares and assets.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are:
- Liberator: private equity investment
 - IBFF: production and marketing of branded frozen food
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
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32