

***Case No COMP/M.4674 -
KKR / STEFANO
PESSINA / ALLIANCE
BOOTS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 18/06/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18/06/2007

SG-Greffe(2007) D/203599

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.4674 - KKR / STEFANO PESSINA / ALLIANCE BOOTS
Notification of 8/05/2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 112,
22/05/2007, p. 20**

- (1) On 8/05/2007, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings Kohlberg Kravis Roberts & Co, L.P. ("KKR", USA) and Mr. Stefano Pessina ("Mr. Stefano Pessina", UK), through an investment vehicle, AB Acquisitions Limited (UK), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Alliance Boots plc ("Alliance Boots", UK), by way of public bid announced on 20.04.2007.
- (2) The business activities of the undertakings concerned are:
 - for KKR : private equity investment,

¹ OJ L 24, 29.1.2004 p. 1

- for Mr. Stefano Pessina : shareholder and Executive Deputy Chairman of Alliance Boots,
 - for Alliance Boots: wholesaling of pharmaceutical products and retailing of health and beauty products.
- (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