

***Case No COMP/M.5325 -  
ALLIANCE BOOTS /  
MEGAPHARM***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 10/10/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.10.2008  
SG-Greffe(2008) D/206145  
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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.5325 - ALLIANCE BOOTS / MEGAPHARM  
Notification of 09/09/2008 pursuant to Article 4 of Council Regulation (EC) No  
139/2004<sup>1</sup>  
Publication in the Official Journal of the European Union No C 239,  
18/09/2008, p.11**

1. On 09/09/2008, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking Alliance Boots Holdings Ltd. ("Alliance Boots", UK) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Megapharm GmbH Pharmazeutische Erzeugnisse ("Megapharm") (Germany) by way of purchase of shares.
2. The business activities of the undertakings concerned are :
  - for Alliance Boots : wholesaling of pharmaceutical products and retailing of health and beauty products.
  - for Megapharm : wholesaling of pharmaceutical products for the oncology sector and the provision of related services in Germany.

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<sup>1</sup> 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(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.
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