

***Case No COMP/M.3174 -
SCOTTISH &
NEWCASTLE / PARFIL***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 18/06/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 18.06.2003

SG (2003) D/230175

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party

Dear Sirs,

Subject: Case No. COMP/M. 3174 - Scottish & Newcastle / Parfil

Notification of 12.05.2003 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹

Publication in the Official Journal of the European Communities No. C 118 of 20.05.2003, page 22.

1. On 12.05.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the British undertaking Scottish & Newcastle plc ("S&N") acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the Portuguese undertaking Parfil - Sociedade Gestora de Participações Sociais, S.A. ("Parfil") by way of purchase of shares.

The business activities of the undertakings concerned are:

- for S&N: brewing, wholesale, distribution and retail sale of beer and other beverages
- for Parfil: holding company with a 51% participation in the Portuguese brewer Sociedade Central de Cervezas S.A. (jointly controlled by S&N) and a 100% participation in Sociedade da Água do Luso S.A primarily active in the bottled water business.

¹ OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89².
3. 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 (EEC) No. 4064/89.

For the Commission

(signed)
Mario MONTI
Member of the Commission

² OJ C 217, 29.07.2000, p. 32.