

EN

***Case No COMP/M.3617 -
BC PARTNERS /
PICARD***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/11/2004

***In electronic form on the EUR-Lex website under document
number 32004M3617***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.11.2004

SG-Greffe(2004) D/205366

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Sirs,

**Subject: Case No. COMP/M. 3617 – BC Partners/Picard
Notification of 26/10/2004 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C 272 dated 06/11/2004, page 2**

1. On 26/10/2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking CIE Management II Limited (“CIEM”, Guernsey) controlled by BC Partners Holdings Limited (“BC Partners”, Guernsey) acquires through the acquisition vehicle OBO2 (France) within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of Financière Fontainebleau S.A. (“Fontainebleau”, France), which controls the undertakings Picard Surgelés S.A. (“Picard”, France) and Picard I Surgelati SpA (“Picard I”, Italy), by way of purchase of shares.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are :
 - for undertaking CIEM/BC Partners: private equity fund
 - for undertaking Fontainebleau: holding of Picard and Picard I, which are active in retail distribution of frozen food in France and Italy
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 (b) 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 Available on DG COMP website:
http://europa.eu.int/comm/competition/mergers/legislation/consultation/simplified_tru.pdf.