

***Case No COMP/M.4067 -
BLACKSTONE / LION
CAPITAL / CSEB***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 30/01/2006

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.01.2006

SG-Greffe(2006) D/200400/1

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

To the notifying parties

Dear Madam/Dear Sir,

**Subject: Case No. COMP/M.4067 - Blackstone/ Lion Capital/ CSEB
Notification of 20/12/2005 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C334,
30.12.2005, p. 62**

1. On 20/12/2005, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings Blackstone Group ("Blackstone", USA) and Lion Capital General Partner LLP ("Lion Capital", UK) acquire within the meaning of Article 3(1)(b) of the Council Regulation control of the European Beverages Division of Cadbury Schweppes plc ("CSEB", France) 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 Blackstone : Private equity company,
 - for Lion Capital : Private equity company,
 - for CSEB : Production, marketing and distribution of soft drinks.
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
Neelie KROES
Member of the Commission

² OJ C 56, 05.3.2005 p.32