

**Case No COMP/M.5619 -
BIDVEST/ NOWACO GROUP**

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/09/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 25.9.2009
SG-Greffe(2009) D/5653
C(2009) 7519

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

Dear Madam/Sir,

**Subject: Case No COMP/M.5619 - BIDVEST/ NOWACO GROUP
Notification of 28.08.2009 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹
Publication in the Official Journal of the European Union No C209, 04.09.2009
p.10.**

1. On 28.08.2009 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ("EC Merger Regulation") by which the undertaking Bidvest Group Limited ('Bidvest', South Africa) acquires within the meaning of Article 3(1)(b) of the EC Merger Regulation control of Nowaco Czech Republic s.r.o. and Farutex Sp.zo.o (together, 'Nowaco Group', Czech Republic/Poland) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - Bidvest: international services, trading and distribution and wholesale distribution of foodservice products.
 - Nowaco Group: wholesale and independent retail distribution of foodservice products.

¹ 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 the EC Merger Regulation and of paragraph 5(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 the EC Merger Regulation.

For the Commission
(signed)
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.