

EN

***Case No COMP/M.6551 - KELLOGG COMPANY/ PRINGLES
SNACK BUSINESS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 02/05/2012

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EUROPEAN COMMISSION

Brussels, 02/05/2012
C(2012) 3064

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

Dear Madam(s) and/or Sir(s),

Subject: Case No COMP/M.6551 - KELLOGG COMPANY/ PRINGLES SNACK BUSINESS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹

1. On 28.03.2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Kellogg Company ("Kellogg", US) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the entire Pringles Snacks Business of the The Procter & Gamble Company ("P&G", US) by way of purchase of shares and assets.
2. The business activities of the undertakings concerned are:
 - for Kellogg: producer of ready-to-eat cereal and convenience foods, such as cookies, crackers, toaster pastries, cereal bars, fruit-flavoured snacks, frozen waffles and veggie foods; In the EEA, it sells ready-to-eat cereals, cereal bars, toaster pastries and fruit-flavoured snacks;

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

- for Pringles Snacks Business: producer of 'Pringles' extruded potato crisps in the EEA².
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the 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 139/2004³.
 4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² Publication in the Official Journal of the European Union No C 106, 12.04.2012, p.3

³ OJ C 56, 5.3.2005, p. 32.