

EN

***Case No COMP/M.6899 - LION CAPITAL/ AVEDON
CAPITAL PARTNERS/ AD VAN GELOVEN HOLDING***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 03/06/2013

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FR



EUROPEAN COMMISSION

Brussels, 03/06/2013
C(2013) 3444

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6899 – Lion Capital/ Avedon Capital Partners/ Ad van Geloven Holding
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 29 April 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Lion Capital LLP (United Kingdom) and Avedon Capital Partners B.V. (Netherlands) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Ad van Geloven Holding B.V. (Netherlands) by way of Avedon Capital Partners B.V.'s acquisition of shares.
2. The business activities of the undertakings concerned are:
 - Lion Capital LLP is a private equity company focusing on investments in businesses active in the production and sale of consumer-branded goods. It holds controlling interests in a number of companies including A.S. Adventures, active in the sale of outdoor equipment and clothing in Belgium, the Netherlands and the UK, and in Findus and Picard, active in the sale of frozen and chilled food products. Lion Capital also already holds a controlling interest in Ad van Geloven Holding B.V.,

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.

- Avedon Capital Partners B.V. is a private equity investor with controlling interests in a number of companies including Euretco which is active among other things in the sale of sporting goods in the Netherlands,
 - Ad van Geloven Holding B.V. is active in the production and sale of mainly frozen snacks, both branded and private label, for the retail and out-of-home channels mainly in the Netherlands².
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 130, 7.5.2013, p. 11.

³ OJ C 56, 5.3.2005, p. 32.