

***Case No COMP/M.6936 - DONATA/ DE MASTER  
BLENDERS***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION  
Date: 12/06/2013

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EUROPEAN COMMISSION

Brussels, 12 June 2013  
C(2013) 3786

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying party:**

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

**Subject: Case No COMP/M.6936 – DONATA/ DE MASTER BLENDERS  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No  
139/2004<sup>1</sup>**

1. On 14 May 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Donata Holding SE ("Donata", Austria), a holding company of the Joh. A. Benckiser group, acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking D.E. Master Blenders 1753 N.V. ("DEMB", the Netherlands) by way of public bid announced on 12 April 2013.
2. The business activities of the undertakings concerned are:
  - for Donata: holding company of the Joh. A. Benckiser group, which in turn invests in the fast moving consumer goods sector, including coffee and tea industry;
  - for DEMB: coffee and tea products in the retail and out of home markets<sup>2</sup>.

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<sup>1</sup> 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.

<sup>2</sup> Publication in the Official Journal of the European Union No C 142, 22.5.2013, p. 6.

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(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.
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*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.