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***Case No COMP/M.7193 - GORES / PREMIER FOODS /
HOVIS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 26/03/2014

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 26.3.2014
C(2014) 2142 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

Subject: Case M.7193 - GORES / PREMIER FOODS / HOVIS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹

1. On 18 February 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the Gores Group LLC ("Gores", USA) and Premier Foods plc. ("Premier Foods", United Kingdom) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of a newly created company constituting a joint venture Hovis Limited ("Hovis", United Kingdom) by way of purchase of shares.²
2. The business activities of the undertakings concerned are:
 - for Gores: private equity investor primarily active in the United States and Western Europe,
 - for Premier Foods: manufacture and supply of grocery products, including bread and bakery products, flour, cakes, convenience foods, soups, cooking sauces, desserts, stocks and gravies mainly in the United Kingdom,
 - for Hovis: manufacture and supply of flour and baked goods.

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.

² Publication in the Official Journal of the European Union No C 70, 8.3.2014, p. 4.

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 139/2004.³
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

³ OJ C 366, 14.12.2013, p. 5.