Prior notification of a concentration

(Case COMP/M.6705 — Procter & Gamble/Teva Pharmaceuticals OTC II)

(Text with EEA relevance)

(2012/C 314/12)

1. On 9 October 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which Procter & Gamble (the United States of America) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of over-the-counter ('OTC') businesses of Teva Pharmaceuticals Industries Ltd (Israel) by way of contributing assets to a newly created entity.

2. The business activities of the undertakings concerned are:

— for Procter & Gamble: manufacturing, distribution and marketing of household care, beauty care, health care and wellbeing, baby and family care products,

— for Teva Pharmaceuticals Industries Ltd.: production, distribution and marketing of affordable generic drugs, innovative and special pharmaceuticals and active pharmaceutical ingredients,

— Teva Pharmaceuticals OTC business: Teva's over-the-counter pharmaceutical business, initially acquired by Procter & Gamble from Teva in 2011 (see COMP/M.6280) and Teva's over-the-counter pharmaceutical business acquired through its acquisition of Cephalon Inc. in 2011 (see COMP/M.6258).

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6705 — Procter & Gamble/Teva Pharmaceuticals OTC II, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

([1]) OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').