

Prior notification of a concentration**(Case No. COMP/M.3437 – KKR/Vendex)**

(2004/C 138/03)

(Text with EEA relevance)

1. On 07.05.2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89⁽¹⁾, as last amended by Regulation (EC) No 1310/97⁽²⁾, by which the undertaking VDXK Acquisition B.V. ('Bidco', The Netherlands) controlled by Kohlberg Kravis Roberts & Co. L.P. ('KKR', USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Koninklijke Vendex KBB N.V. ('Vendex', The Netherlands) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for Bidco: specially created acquisition vehicle;
- for KKR: investments firm;
- for Vendex: retail of non-food products.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. 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 (fax no. +32/2/2964301 or 2967244) or by post, under reference number COMP/M.3437 – KKR/Vendex, to the following address:

European Commission
Directorate-General for Competition,
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.