

Prior notification of a concentration**(Case COMP/M.2276 — The Coca-Cola Company/Nestlé/JV)**

(2001/C 217/03)

(Text with EEA relevance)

1. On 26 July 2001 the Commission received 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 undertakings The Coca-Cola Company (TCCC) (USA) and Nestlé SA (Nestlé) (Switzerland) acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control over the existing JV Coca-Cola Nestlé Refreshments Company SA (CCNR) (Switzerland) in its new expanded format.

2. The business activities of the undertakings concerned are:

- TCCC: soft drink concentrates and syrups, finished beverages,
- Nestlé: nutrition products, including instant and liquid drinks, dairy products, infant food, pet food,
- CCNR: beverage bases for the production of ready-to-serve tea and coffee beverages.

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.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2276 — The Coca-Cola Company/Nestlé/JV, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
Rue Joseph II/Jozef II-straat 70,
B-1000 Brussels.

⁽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.