

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMPETITION
POLICY

COMMISSION

Prior notification of a concentration
(Case COMP/M.4688 — Nestlé/Gerber)

(Text with EEA relevance)

(2007/C 144/09)

1. On 22 June 2007, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004⁽¹⁾ by which the undertaking Nestlé S.A. ('Nestlé', Switzerland) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the Gerber business ('Gerber, US'), belonging to Novartis AG ('Novartis', Switzerland), by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

- for Nestlé: the production, marketing and sale of a large variety of food and beverage products, including baby food;
- for Gerber: production, marketing and sale of baby food, baby care and baby accessories;
- for Novartis: a major healthcare products company.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4688 — Nestlé/Gerber, to the following address:

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

(¹) OJL 24, 29.1.2004, p. 1.