

Prior notification of a concentration
(Case COMP/M.5540 — Lion Capital/CEDC/Russian Alcohol Group)
Candidate case for simplified procedure
(Text with EEA relevance)
(2009/C 186/08)

1. On 31 July 2009, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Lion Capital LLP ('Lion Capital', United Kingdom) and Central European Distribution Corporation ('CEDC', USA) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking CJSC Russian Alcohol Group and of its subsidiaries ('Russian Alcohol Group', Russia) by way of the grant of certain contractual veto rights.

2. The business activities of the undertakings concerned are:

- for Lion Capital: private equity investor,
- for CEDC: manufacturer of vodkas and distributor of alcoholic beverages,
- for the Russian Alcohol Group: manufacturer and distributor of vodkas and ready mixed alcoholic beverages.

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. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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 or 22967244) or by post, under reference number COMP/M.5540 — Lion Capital/CEDC/Russian Alcohol Group, 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.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.