

Summary of Decision no. 32/23.07.2010 regarding the economic merger achieved by acquiring of joint control over Delaco Distribution SA by Bongrain Europe SAS, Mr. Gheorghe-Tudor Comănicu, Mr. Dragoş Comănicu, Mr. Andrei-Victor Vartolomei and Mr. Romulus Dumitru

The Competition Council authorized the economic merger achieved by acquiring joint control over Delaco Distribution SA by Bongrain Europe SAS, Mr. Gheorghe-Tudor Comănicu, Mr. Dragoş Comănicu, Mr. Andrei-Victor Vartolomei and Mr. Romulus Dumitru.

Through the notified economic merger is achieved one step in horizontal and vertical integration, Bongrain Europe SAS being present in the production and marketing of fresh cheeses, semi-hard cheeses and processed cheese in Romania, and Delaco Distribution Ltd. being present not only in the production and marketing of mozzarella cheese, semi-hard cheeses and processed cheese in Romania, but also in the distribution cheeses and other dairy products in Romania.

The relevant product markets analyzed are the following: production and marketing of mozzarella cheese, semi-hard cheeses and processed cheese. The relevant geographic market where the mentioned products are produced and marketed is considered to be at the national level, Romania.

Notified merger effects on the competitive environment are not significant and the operation does not led to the creation or strengthening of a dominant position in the relevant markets identified.

Notified economic mergers were analyzed in terms of the Competition Law no. 21/1996 and the Regulation on the authorization of economic mergers, established that there are no serious doubts on their compatibility with a normal competitive environment. Consequently, the Competition Council issued decision of non-objection.

The Competition Council decision on such operation is published on the website of the Romanian competition authority, www.competition.ro, with the consent of involved parties about the confidential data.