****

 **Tuesday, 10 May 2016**

**Coca-Cola Beverages merger with bottling companies approved with conditions**

In March 2015 the merging parties filed a large merger transaction with the Competition Commission. The proposed transaction involved the amalgamation of the bottling interests of SABMiller Plc, Gutsche Family Investments and the Coca-Cola Company into one entity to be known as Coca-Cola Beverages Africa. In addition, SABMiller’s interests in Appletiser and Lecol will be transferred to The Coca-Cola Company.

The Commission in investigating the merger contacted several third parties including the Minister of Economic Development (“Minister”) regarding a range of public interest and competition concerns. The Commission recommended that the merger be approved subject to conditions which would address their competition and public interest concerns.

The merger was filed with the Competition Tribunal and was set to be heard during the course of May 2015. The Minister, Food Allied Workers Union (“FAWU”) and National Union of Food Beverage Wine Spirits and Allied Workers (“NUFBWSAW”), amongst others proffered their intention to participate in the hearing to ventilate their concerns.

Prior to the commencement of the first day of hearing negotiations between the merging parties, the Minister of Economic Development, FAWU, NUFBWSAW and the Commission culminated in agreement. On the 9 May a final set of conditions that the parties agreed to was provided to the Tribunal.

 The Tribunal was told that the conditions dealt with and settled all the parties’ disputes and no party contested the approval of the merger subject to the agreed conditions.

The Tribunal approves the merger subject to these conditions.  The Tribunal will be providing reasons for its approval in due course.

Issued by:

Chantelle Benjamin

Communications: Competition Tribunal

Tel (012)394 1383

Cell: +27 (0) 73 007 5603

Twitter: @comptrib

E-Mail: [chantelleb@comptrib.co.za](chantelleb%40comptrib.co.za%20)

On Behalf Of:

Lerato Motaung

Registrar: Competition Tribunal

Tel: (012) 394 3355

Cell: +27 (0) 82 556 3221

E-Mail: LeratoM@comptrib.co.za