



**COMESA Competition Commission**

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**Common Market for Eastern  
and Southern Africa**

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**CCC Merger Inquiry Notice No. 1 of 2017**

**Notice of Inquiry into the Proposed Acquisition of De Ollies B.V by Fides Holding B.V**

It is hereby notified in terms of Article 26(6) of the COMESA Competition Regulations (the “Regulations”) that the COMESA Competition Commission (the “Commission”), after receiving a notification in terms of Article 24 of the Regulations involving Fides Holding B.V (“Fides”) and De Ollies B.V (“De Ollies”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The Proposed Transaction relates to the acquisition of the entire issued share capital of De Ollies by Fides. Fides will also be acquiring the entire issued share capital of two additional entities, Olij Rozen International B.V and Olij Vest B.V. Fides will, upon completion of the purchase, be the legal and beneficial owner of the entire issued share capital of De Ollies.

Fides is a private company with limited liability incorporated under the laws of The Netherlands. Fides is a breeder and producer of cuttings and young plants of ornamental plants comprising bedding plants and pot plants and cut flowers, selling starting material (rooted and unrooted cuttings) and licenses to growers.

Fides is a wholly owned subsidiary of Agribio Group B.V, which in turn is a wholly owned subsidiary of DNA Green Group B.V. (“DNA”), a private company with limited liability incorporated under the laws of The Netherlands. DNA is beneficially owned by BC Partners, which has subsidiaries operating in the following Member States: DRC, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, and Zimbabwe.

The target undertaking, De Ollies is a private company with limited liability incorporated under the laws of The Netherlands. De Ollies has the following wholly owned subsidiaries in Kenya:

- Olij Kenya Breeding Limited - acts as an agent for rose breeders;
- Olij Kenya Propagation Limited - propagates and exports freshly cut flowers; and
- Olij Kenya Investment Limited - an investment company that earns rental income from its investment in a flower farm.

De Ollies also has the following subsidiaries in Ethiopia:

- Olij Roses Ethiopia plc - breeding and growing of cut flowers. De Ollies is a 100% shareholder of this company; and
- Olij Breeding plc - the company conducts testing and selection of new rose varieties. De Ollies is an (indirect) 100% shareholder of this company.

De Ollies, through its Kenyan and Ethiopian subsidiaries, is active in the field of breeding, propagation, growing and marketing of cut roses and pot roses. In addition to its own varieties, De Ollies propagates, grows and markets varieties for third parties.

The parties have submitted that the merger will, *inter alia*, create sales synergies and growth opportunities available by leveraging pot flowers and replacing third party genetics in cut flowers.

The Commission will, in accordance with the provisions of the Regulations, determine among other things whether or not the merger is likely to substantially prevent or lessen competition within the Common Market. In view of this, the Commission hereby gives notice to all interested stakeholders, including competitors, suppliers and customers of the merging parties to submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to: [wmwemba@comesa.int](mailto:wmwemba@comesa.int). All written representations should be sent to the Commission not later than **2<sup>nd</sup> February 2017**.

If you wish to seek further details and/ or clarifications on any aspect of this proposed transaction or need assistance you may get in touch with **Mr. Willard Mwemba, Manager for Mergers and Acquisitions**, on +265 (0) 1 772 466 or via email at [wmwemba@comesa.int](mailto:wmwemba@comesa.int).

All written representations submitted to the Commission will be treated with the strictest confidentiality and will only be used for the purpose of this inquiry.