



COMESA Competition Commission
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**Common Market for Eastern
and Southern Africa**

CCC Merger Inquiry Notice No. 21 of 2018

Notice of Inquiry into the Merger Transaction involving The Coca-Cola Company and Zambian Breweries Plc

It is hereby notified in terms of Article 26(6) of the COMESA Competition Regulations (hereinafter referred to as the “Regulations”) that the COMESA Competition Commission (the “Commission”), after receiving a notification in terms of Article 24 of the Regulations from The Coca-Cola Company (“TCCC”) and Zambian Breweries Plc (“ZamBrew”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties submitted that TCCC is a US-registered publicly listed company with its headquarters in Atlanta, Georgia, USA. TCCC is a brand owner and supplier of concentrates for non-alcoholic beverages which it sells to bottling companies. TCCC owns the trademark and other related intellectual property rights in the brand Coca-Cola and numerous other non-alcoholic beverage brands. TCCC is operational in the Common Market through Coca-Cola Africa (Proprietary) Limited.

It was submitted that ZamBrew is a brewing and beverage company listed on the Lusaka Stock Exchange. It brews mainly clear beers and also operates a bottling business through which it produces, sells and distributes TCCC branded products. ZamBrew has operations in Zambia only.

The proposed transaction entails the transfer of certain assets and liabilities of the TCCC branded non-alcoholic ready to drink bottling business of ZamBrew.

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: smaseko@comesa.int. All written representations should be sent to the Commission not later than **16th July 2018**.

Should you require any clarification or additional information, please do not hesitate to contact our **Ms. Siboniselizulu Maseko** on +265 1 772 466 or via email at smaseko@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.