



COMESA Competition Commission

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**Common Market for Eastern
and Southern Africa**

CCC RBP Inquiry Notice No. 7 of 2018

Notice of Inquiry on the Application for Authorisation of the Distribution Agreements between the Bottlers of The Coca-Cola Company's non-alcoholic ready drink beverages and independent third-party distributors

It is hereby notified in terms of Rule 61(4) of the COMESA Competition Rules (the "Rules") that the COMESA Competition Commission (the "Commission"), after receiving an application from Coca-Cola Beverages Africa ("CCBA"), intends to embark on an inquiry in terms of Article 20 of the COMESA Competition Regulations ("Regulations").

CCBA has made an application for authorisation pursuant to Article 20 of the Regulations for various distribution agreements entered into between themselves and independent third-party distributors operating in Comoros, Ethiopia, Kenya and Uganda. CCBA is controlled by The Coca-Cola Company ("TCCC") and was created following the consolidation of various authorised independent bottlers into one single entity, in 2015. TCCC owns the trademark and other related intellectual property rights in the brand for Coca-Cola and many other non-alcoholic beverage brands. Coca-Cola is the most popular and biggest selling soft drink in history, as well as one of the most recognizable brands in the world. Coca-Cola categorises its products into the following segments: carbonated soft drinks, juice and juice drinks, water and water beverages, liquid flavour enhancers, sports drinks, teas, as well as coffee and coffee drinks.

The Commission will, in accordance with the provisions of the Regulations, determine among other things whether or not the agreements are likely to affect trade between Member States and have as their object or effect the prevention, restriction or distortion of 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 parties to the agreements 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 **21st September 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.