



Kang'ombe House, 5th Floor-West Wing  
P.O. Box 30742  
Lilongwe 3, Malawi  
Tel: +265 (0) 1772466  
Email- compcom@comesa.int

---



Common Market for Eastern  
and Southern Africa

## **CCC Merger Inquiry Notice No. 24 of 2019**

### **Notice of Inquiry into the Proposed Merger involving The Coca-Cola Company and Almasi Beverages Limited**

---

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 regarding the proposed merger involving The Coca-Cola Company (“**TCCC**”) and Almasi Beverages Limited (“**Almasi**”), intends to embark on an inquiry in terms of Article 26 of the Regulations.

The parties have submitted that the transaction being notified involves the acquisition of a controlling shareholding in Almasi by TCCC, through its affiliate Coca-Cola Sabco (East Africa) Limited (“**CCSEA**”) (the “**Proposed Transaction**”).

It is submitted that CCSEA is a wholly-owned subsidiary of CCBA, a private company incorporated in accordance with the laws of South Africa. CCBA is currently controlled by TCCC. TCCC is a multinational company that together with its wholly-owned subsidiaries is the owner of numerous well-known non-alcoholic beverage brands. TCCC distributes its brands through authorized bottlers. In the Common Market, TCCC derives revenue from the following Member States: Burundi, Comoros, the Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Uganda, Zambia, and Zimbabwe.

It is submitted that Almasi is an authorized Coca-Cola Bottler and is currently a subsidiary of Centum Investments Company Plc (“**Centum**”), with Centum holding a 53.95% shareholding in Almasi. Centum is a public company listed on the Nairobi Securities Exchange in Kenya. Almasi is the controlling shareholder (holding a 99.99% stake) in each of Almasi Bottlers Limited, Kisii Bottlers Limited, and Rift Valley Bottlers Limited (together the “**Almasi Subsidiaries**”). Almasi conducts its principal activities through the Almasi Subsidiaries.

It is submitted that the Coca-Cola Bottlers that currently fall within CCBA in Kenya are Nairobi Bottlers Limited, Crown Beverages Limited, and Equator Bottlers. The parties have submitted that following the merger, Almasi (and the Almasi Subsidiaries) will form part of the CCBA group of companies and will continue to carry out its current operations as a Coca-Cola Bottler. The parties have further submitted that the proposed transaction will not change the structure of the Common Market or any market in Kenya since Almasi is engaged only in the

preparation, packaging, distribution and sale of TCCC branded non-alcoholic, ready-to-drink beverages.

The Commission will, in accordance with the provisions of the Regulations, determine, among other things, whether or not the proposed transaction is likely to substantially prevent or lessen competition within the Common Market and whether the proposed transaction is or would be contrary to the public interest as provided for under Article 26 of the Regulations.

In view of this, the Commission hereby gives notice to all interested stakeholders, including competitors, suppliers and customers of the parties to the proposed transaction to submit written representations to the Commission with regard to the subject matter of the proposed inquiry by emailing them to: [sbooluck@comesa.int](mailto:sbooluck@comesa.int). All written representations should be sent to the Commission not later than **7<sup>th</sup> August 2019**.

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 **Ms. Sandya Booluck, Senior Analyst, Mergers and Acquisitions** on Tel: +265 (0) 1 772 466 or [sbooluck@comesa.int](mailto:sbooluck@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.