EUROPEAN COMMISSION

Brussels, 20.03.2020
C(2020) 1871 final

**PUBLIC VERSION**

**To the notifying party**

**Subject:** **Case M.9788 – JAB / JACOBS DOUWE EGBERTS**
**Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004[1] and Article 57 of the Agreement on the European Economic Area[2]**

Dear Sir or Madam,

1. On 26 February 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which JAB Holding Company S.A.R.L. ('JAB', Luxembourg), via its indirect subsidiary Acorn Holdings B.V. ('Acorn', the Netherlands), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Jacobs Douwe Egberts B.V. ('Jacobs Douwe Egberts', the Netherlands), currently jointly controlled by JAB and Mondelēz Interntional Inc.[3] The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

   – JAB: a privately held group focused on long-term investments in companies with premium brands in the consumer goods sector,

   – Acorn: one of JAB's investment holding companies with investments in Jacobs Douwe Egberts, Peet's Coffee and Keurig Dr Pepper,

   – Jacobs Douwe Egberts: a coffee and tea manufacturer with a broad brand portfolio.

1 OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

2 OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

3 Publication in the Official Journal of the European Union No C 75, 9.3.2020, p. 23.

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3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.[4]

4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

*For the Commission*

*(Signed)*
*Olivier GUERSENT*
*Director-General*

4 OJ C 366, 14.12.2013, p. 5.