EUROPEAN COMMISSION

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PUBLIC VERSION

AmerisourceBergen Corporation
1300 Morris Drive
19087-5594 - Chesterbrook,
Pennsylvania
United States of America

Subject: **Case M.10162 – AMERISOURCEBERGEN / PARTS OF WALGREENS BOOTS ALLIANCE'S PHARMACEUTICAL BUSINESS**
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 7 April 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking AmerisourceBergen Corporation ('AmerisourceBergen', USA), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of Walgreens Boots Alliance, Inc.'s (i) wholesale pharmaceutical businesses in Algeria, Croatia, Czech Republic, Egypt, France, Lithuania, the Netherlands, Norway, Portugal, Romania, Spain, Turkey, the UAE and the UK and (ii) retail pharmaceutical businesses in the Netherlands, Norway, and Lithuania ('the Target', the Netherlands) by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for AmerisourceBergen: pharmaceutical distribution and services;

   – for the Target: wholesale and retail of pharmaceuticals and logistics.

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

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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 132, 15.04.2021, p. 8.

paragraph 5(c) 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.