EUROPEAN COMMISSION

Brussels, 19.05.2021
C(2021) 3689 final

PUBLIC VERSION

The Coca-Cola Company
Beverage Services Ltd
1A Wimpole Street
London, W1G 0EA
United Kingdom

Coca-Cola HBC AG
Turmstrasse 26
6312 Steinhausen
Switzerland

Subject: Case M.10208 — The Coca-Cola Company/Coca-Cola HBC/WABI CCH JV 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 21 April 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which The Coca-Cola Company ('TCCC', United States) and Coca-Cola HBC AG ('CCH', Switzerland) intend to acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control of WABI CCH B.V. ('WABI CCH JV', the Netherlands) by way of purchase of shares in a newly created company constituting a joint venture.[3]

2. The business activities of the undertakings concerned are:

   – for TCCC: worldwide brand ownership and licensing of various trademarks used to market and sell non-alcoholic commercial beverages; production of soft drink concentrate and syrup, as well as finished beverages,

   – for CCH: producing, marketing, and selling TCCC-branded and other beverages in the EU, Eurasia and Africa,

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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 (the '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 154, 30.4.2021, p. 12.

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– for WABI CCH JV: providing digital marketplace services connecting wholesalers, retailers, suppliers and consumers of consumer packaged goods.

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 paragraphs 5(a) and 5(b) 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.