

***Case No COMP/M.5540 -
LION CAPITAL / CEDC /
RUSSIAN ALCOHOL
GROUP***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 04/09/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 4.9.2009
SG-Greffe(2009) D/5280/5281
C(2009) 6857

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.5540 - Lion Capital/ CEDC/ Russian Alcohol Group
Notification of 31.07.2009 pursuant to Article 4 of Council Regulation (EC) No
139/2004¹
Publication in the Official Journal of the European Union No C 186,
08.08.2009, p. 13**

1. On 31.07.2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings Lion Capital LLP ('Lion Capital', United Kingdom) and Central European Distribution Corporation ('CEDC', USA) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking CJSC Russian Alcohol Group and of its subsidiaries (collectively 'Russian Alcohol Group', Russia) by way of the grant of certain contractual veto rights.
2. The business activities of the undertakings concerned are:
 - for Lion Capital: private equity investor
 - for CEDC: manufacturer of vodkas and distributor of alcoholic beverages

¹ OJ L 24, 29.1.2004, p. 1.

- for the Russian Alcohol Group: manufacturer and distributor of vodkas and ready mixed alcoholic beverages
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No 139/2004 and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².
 4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No 139/2004.

For the Commission
(*signed*)
Philip LOWE
Director General

² OJ C 56, 5.3.2005, p. 32.