

ROBERT WISEMAN DAIRIES PLC/SCOTTISH MILK DAIRIES LIMITED MERGER INQUIRY

Cancellation of merger reference

The Competition Commission (CC) cancelled the reference concerning the proposed acquisition by Robert Wiseman Dairies plc of the fresh milk business of Scottish Milk Dairies Limited on 4 November 2005.

The reference was made to the CC on 19 October 2005 by the Office of Fair Trading under section 33 of the Enterprise Act 2002. The terms of reference required the CC to examine:

- (a) whether arrangements were in progress or in contemplation which, if carried into effect, would result in the creation of a relevant merger situation; and
- (b) if so, whether the creation of that situation may be expected to result in a substantial lessening of competition in relation to the market for the supply of milk in the Scottish Central Belt area.

The CC has received assurances from Robert Wiseman Dairies plc that the proposed acquisition by Robert Wiseman Dairies plc of the fresh milk business of Scottish Milk Dairies Limited has been abandoned. Mr Peter Freeman, a Deputy Chairman of the CC and designated in accordance with paragraph 3(5)(b)(ii) of Schedule 7 to the Competition Act to perform the functions of the chairman, having had regard to those assurances, is satisfied that Robert Wiseman Dairies plc has, within the terms of section 37(1) of the Enterprise Act 2002, abandoned the proposal to make arrangements of the kind mentioned in the reference. Mr Freeman has consequently cancelled the reference in accordance with his powers under Schedule 7 to the Competition Act 1998.

This cancellation is published in accordance with requirements laid down by sections 107(2)(a) and 107(4) of the Enterprise Act 2002.