

**REFERENCE RELATING TO THE COMPLETED ACQUISITION
BY COTT BEVERAGES LIMITED OF MACAW (HOLDINGS) LIMITED**

**Notice of provisional findings made under Rule 10.3
of the Competition Commission Rules of Procedure**

1. On 28 November 2005, the Office of Fair Trading, in exercise of its duty under section 22(1) of the Enterprise Act 2002 (the Act) and its power under section 35(6) of the Act, referred to the Competition Commission (CC) the completed acquisition by Cott Beverages Limited of Macaw (Holdings) Limited for investigation and report within a period ending on 15 May 2006.

Provisional findings

2. The CC inquiry group (the Group) appointed to consider this reference have made the following provisional findings on the statutory questions it has to decide pursuant to section 35(1) of the Act:
 - (a) a relevant merger situation has been created; and
 - (b) the creation of that situation has not resulted, nor may be expected to result in a substantial lessening of competition within the market for the supply of own-label PET-bottled carbonated soft drinks in Great Britain..
3. The Group's reasons are set out in full in the provisional findings report, which is attached to this notice, and are summarized in the executive summary of the provisional findings report (see note below).

The next steps

4. Cott Beverages Limited and other interested parties are now invited to provide the Group with their reasons in writing as to why these provisional findings should not become final (or, as the case may be, should be varied).
5. These reasons should be received by the Group no later than 18 April 2006.
6. The Group will have regard to any such reasons provided by Cott Beverages Limited in making their final decisions on the statutory questions and actions.

Laurence Elks

Laurence Elks
Group Chairman
27 March 2006

Notes:

1. A copy of this notice and the executive summary of the provisional findings report will be placed on the CC web site on Tuesday 28 March 2006. The CC proposes to publish the provisional findings report on its web site by Tuesday 28 March 2006. The published version of the provisional findings report will not contain any information which the Group consider should be excluded from the report, having regard to the three considerations set out in section 244 of the Act.

2. Anyone who wishes to do so may comment on the provisional findings. Comments should be made in writing by no later than 18 April 2006 to:

Alex Marsden
Inquiry Secretary
Cott/Macaw Merger Inquiry
Competition Commission
Victoria House
Southampton Row
London WC1B 4AD

Or by email to alexander.marsden@cc.gsi.gov.uk.