

REFERENCE RELATING TO THE COMPLETED ACQUISITION BY LONG CLAWSON DAIRY LIMITED OF MILLWAY, THE STILTON AND SPECIALITY CHEESE BUSINESS OF DAIRY CREST GROUP PLC

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

1. On 8 October 2008, the Office of Fair Trading in exercise of its duty under section 22(1) of the Enterprise Act 2002 (the Act), referred to the Competition Commission (CC) the completed acquisition by Long Clawson Dairy Limited of Millway, the stilton and speciality cheese business of Dairy Crest Group plc, for investigation and report within a period ending on 24 March 2009.

Provisional findings

2. An inquiry group of CC members (the Group) was appointed to consider this reference and has 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) that the creation of that situation has not resulted, or may not be expected to result in, a substantial lessening of competition (SLC) in the market for Blue Stilton in the United Kingdom.
3. The Group's provisional findings on these questions and its reasons are set out in the provisional findings report, a copy of which is on the CC website (see note (i) below).

The next steps

4. Anyone wishing to comment on the provisional findings is 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 9 January 2009.
6. The Group will have regard to any such reasons in making its final decisions on the statutory questions.

DIANA GUY
Group Chair
19 December 2008

Notes

- (i) A copy of this notice and the provisional findings report will be published on the CC website on 19 December 2008. The published version of the provisional findings report will not contain any information which the Group considers should be excluded

from the report, having regard to the three considerations set out in section 244 of the Act.

(ii) Comments should be made in writing to:

Inquiry Manager, Stilton merger inquiry
Competition Commission
Victoria House
Southampton Row
LONDON
WC1B 4AD

or by email to: Stilton@cc.gsi.gov.uk.