



News Release

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COMPETITION COMMISSION PROVISIONALLY CLEARS HOLLAND AND BARRETT/JULIAN GRAVES MERGER

The Competition Commission (CC) has provisionally cleared the acquisition of Julian Graves Limited by Holland and Barrett (which is owned by NBTY Europe Limited). After examining the merger's likely effects on the retail supply of nuts, seeds and dried fruit, the CC has provisionally concluded that it does not expect the acquisition to lead to a substantial lessening of competition.

The merger was referred to the CC by the Office of Fair Trading (OFT) on 20 March 2009. Julian Graves is a large independent specialist food and ingredients retailer, with over 350 stores in the UK, whilst Holland and Barrett is the UK's leading health products retailer with over 500 stores across the country. Prior to the merger, both companies were competing in the sale of nuts, seeds and dried fruit.

Diana Guy, Chairman of the Inquiry Group, commented on the findings:

We have provisionally concluded that competition from other retailers, in particular the supermarkets, will be sufficient to constrain the activities of the merged parties in the sale of nuts, seeds and dried fruit.

As a result of the merger, Holland and Barrett and Julian Graves will come under common ownership but the competition from other retailers of nuts, seeds and dried fruit will continue. As a result, we did not believe that the merger would give rise to any significant detriment to consumers.

The CC's findings are set out in the provisional findings report which is published on its website www.competition-commission.org.uk.

Views on the provisional findings are invited by 12 August 2009, in writing to:

David du Parc Braham
Inquiry Manager
Competition Commission
Victoria House
Southampton Row
London WC1B 4AD

Notes to editors

1. The CC is an independent public body, which carries out investigations into mergers, markets and the regulated industries.
2. The Enterprise Act 2002 empowers the OFT to refer to the CC completed or proposed mergers for investigation and report which create or enhance a 25 per cent share of supply in the UK (or a substantial part thereof) or where the UK turnover associated with the enterprise being acquired is over £70 million.
3. The members of the Holland and Barrett/Julian Graves Inquiry Group are: Diana Guy, Ian Jones, Peter Jones and Jonathan Whitarcar.
4. The CC has a 24-week period in which it is required to publish its report, which may be extended by no more than eight weeks if it considers that there are special reasons why the report cannot be published within that period.
5. Further information on this inquiry, including the terms of reference and other key documents, as well as on the CC and its procedures, including its policy on the provision of information and the disclosure of evidence, can be obtained from the CC website at: www.competition-commission.org.uk.
6. Enquiries should be directed to Rory Taylor or John Park on 020 7271 0242 (email rory.taylor@cc.gsi.gov.uk or john.park@cc.gsi.gov.uk).