

COMPLETED MERGER BETWEEN STONEGATE FARMERS LIMITED AND DEANS FOOD GROUP LIMITED

Consent to Noble, Clifford Kent, Stonegate, Deans, Mr Peter Dean and Mr Michael Kent for Deans to manufacture liquid egg for Stonegate

On 13 September 2006, the Office of Fair Trading made the reference to the Competition Commission (the CC) under section 22 of the Enterprise Act 2002 (the Act) concerning the completed merger between Stonegate Farmers Limited (Stonegate) and Deans Food Group Limited (Deans) through Noble Foods Limited (Noble);

And the reference has not been finally determined in accordance with section 79(1) of the Act;

And on 20 November 2006, the CC accepted Interim Undertakings from Noble, Clifford Kent, Stonegate, Deans, Mr Peter Dean and Mr Michael Kent pursuant to section 80 of the Act, for the purpose of ensuring that no action is taken pending the determination of the reference which might prejudice that reference or impede the taking of any action by the CC under Part 3 of the Act (the Undertakings);

And the Undertakings are still in force;

And on 15 February 2007 the CC determined pursuant to section 39(3) of the Act that there were special reasons why its report could not be prepared and published within the initial statutory reference period, and that the reference period therefore be extended by a period of 8 weeks to 24 April 2007;

Now therefore, in accordance with and without prejudice to the generality of paragraphs 1 and 2 of the Undertakings, the CC hereby gives the following consent;

Consent to manufacture liquid egg

From 16 March 2007, Deans may process liquid egg for Stonegate using egg supplied by Stonegate, subject to any such agreement for processing of liquid egg between Deans and Stonegate, being at arms length and the payment of processing to be at a fair market rate. This consent shall continue until the reference has been finally determined in accordance with section 79(1) of the Act (unless earlier withdrawn by the CC having given Noble one weeks notice).

Barbara Mills

Barbara Mills
Group Chair
9 March 2007