



MERGER ANNOUNCEMENT 14 AUGUST 2013

Aspen acquisition of part of Merck's API business cleared by the Competition Authority

The Competition Authority has cleared the proposed transaction whereby Aspen Pharmacare Holdings Limited would acquire certain parts of the active pharmaceutical ingredient business from Merck and Co Inc. by acquiring sole control of MSD NL 8 B.V. The transaction was notified by the parties under the Competition Act 2002 on 18 July 2013.

The Authority has formed the view that the proposed transaction will not lead to a substantial lessening of competition in any markets for goods or services in the State. The Authority will publish a public version of the reasons for its determination on its website (www.tca.ie) no later than 11 October 2013 after allowing the parties the opportunity to request that confidential information is removed from the published version.

Notes

Aspen Pharmacare Holdings Limited, headquartered in La Lucia Ridge Kwa-Zulu Natal, South Africa, is involved in the manufacture and supply of branded and generic pharmaceuticals. In addition to its South African manufacturing facilities, Aspen also has manufacturing facilities in Australia, Brazil, Germany, Kenya, Mexico and Tanzania. Within the State, Aspen is involved in the sale of finished pharmaceutical products and, to a lesser extent, the sale of active pharmaceutical ingredients. Aspen also bases its European marketing and supply chain management headquarters in Dublin.

Merck and Co Inc. headquartered in Whitehouse Station, New Jersey, USA, is a diversified global health care company. Within the State, Merck and Co Inc., through its various wholly owned subsidiaries, is involved primarily in animal health care pharmaceuticals. Merck and Co Inc. is also involved in consumer care products.

MSD NL 8 B.V., the business to be acquired by Aspen is a wholly owned subsidiary of Merck and Co Inc, established for the purposes of the transaction. MSD NL 8 B.V. is involved in the manufacture of active pharmaceutical ingredients both for Merck and for sale to other firms. MSD NL 8 B.V. includes sales offices and four manufacturing facilities in both the Netherlands and in Iowa, USA. MSD NL 8 B.V. sells active pharmaceutical ingredients within the State but does not manufacture APIs in the State.

For further information contact:

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