

## **MERGER ANNOUNCEMENT - M/22/047 – BWG / McCARRICK BROTHERS WHOLESALE**

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**Competition and Consumer Protection Commission clears proposed acquisition by BWG Foods Unlimited Company of sole control of McCarrick Brothers Wholesale Longford Limited.**

**8 November 2022**

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On 7 November 2022, the Competition and Consumer Protection Commission has cleared, subject to legally binding commitments, the proposed transaction whereby BWG Foods Unlimited Company (“BWG”), a wholly owned subsidiary of TIL JV Limited, would acquire the entire issued share capital and thereby sole control of McCarrick Brothers Wholesale Longford Limited. The proposed transaction was notified under the Competition Act 2002, as amended, on 6 September 2022.

The Commission conducted an extended phase one investigation. During the investigation the CCPC identified a potential competition concern in relation to BWG’s access to competitively sensitive information, arising from McCarrick Brothers Wholesale Longford Limited’s, through their ownership of the business and certain assets of McCarrick Brothers (Longford) Limited, relationship with Stonehouse Marketing Limited and Gala Retail Service Limited (“GRSL”).

To address these potential concerns, BWG proposed to make a number of binding commitments to the CCPC which included a commitment to prevent BWG from acquiring McCarrick Brothers (Longford) Limited’s shareholdings in Stonehouse and GSRL and firewall and confidentiality commitments to prevent the exchange of competitively sensitive information between BWG, Stonehouse and/or GRSL following Completion.

The CCPC is of the view that the commitments obtained from BWG are appropriate and effective in addressing competition concerns. The CCPC has taken these commitments into account and they form part of its determination. As a result, the commitments have become binding on BWG.

The CCPC has determined that, in its opinion, the result of the proposed transaction, taking into account the commitments obtained from BWG, will not substantially lessen competition in any market for goods or services in the State. The CCPC will publish the reasons for its determination on its website no later than 60 working days after the date of the determination and after allowing the parties the opportunity to request that confidential information be removed from the published version.

### **Additional Information**

BWG Foods Unlimited Company is involved in the wholesale distribution of food and grocery goods to its affiliated stores and to stores operated by independent retailers. It is also involved in the wholesale distribution of food and beverages to food-service customers and to the licensed trade. BWG Foods Unlimited Company also operates a distribution centre and a number of cash and carry outlets in the State.

McCarrick Brothers Wholesale Longford Limited owns the business and certain assets of McCarrick Brothers (Longford) Limited. McCarrick Brothers (Longford) Limited is active in the wholesale grocery sector and based in Longford.