



News Release

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CC CLEARS GLASS MERGER

The Competition Commission (CC) has formally cleared the completed acquisition by Ardagh International Holdings Ltd (Ardagh) of Redfearn Glass Limited (Redfearn) (previously Rexam Glass Barnsley Limited).

In its final report, published today at www.competition-commission.org.uk/inquiries/ref2005/ardagh/index.htm, the CC has concluded that the acquisition cannot be expected to result in a substantial lessening of competition within the market for the supply of glass containers in the UK. Prior to the acquisition, both Ardagh and Redfearn produced glass containers for use in the food and beverage industries.

This confirms the verdict of the provisional findings report which was published in November.

Chairman of the inquiry group, Diana Guy, commented:

Although we were concerned by the loss of an independent competitor, a number of factors meant that we could not conclude with any certainty that Ardagh would have the incentive and ability to use this position it acquired through the merger to the detriment of customers. We have therefore concluded that the merger cannot be expected to lead to a substantial lessening of competition.

Notes to editors

1. The Enterprise Act 2002 empowers the Office of Fair Trading (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.
2. The case was referred by the OFT on 1 August 2005 and the CC is expected to report by 13 January 2006.
3. The Ardagh/Redfearn inquiry group consists of five members: Diana Guy (Group Chairman), Carolan Dobson, Richard Farrant, Michael Waterson and Stephen Wilks.

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 the CC and its procedures, including its policy on the provision of information and the disclosure of evidence, can be obtained from its website at: www.competition-commission.org.uk.
6. Enquiries should be directed to Rory Taylor on 020 7271 0242 or rory.taylor@cc.gsi.gov.uk.