

Anticipated acquisition of Countrywide Farmers Plc by Mole Valley Farmers Limited

Notice of cancellation of terms of reference

1. On 6 March 2018, a reference was made by the Competition and Markets Authority (CMA) to its Chair for the constitution of a Group of CMA Panel Members under section 33 of the Enterprise Act 2002 (the Act) in respect of arrangements in progress or in contemplation which, if carried into effect, would have resulted in Countrywide Farmers Plc ceasing to be distinct from enterprises carried on by Mole Valley Farmers Limited.
2. Further to the terms of reference, and in accordance with section 36(1) of the Act, the Inquiry Group was required to decide:
 - (a) whether arrangements were in progress or in contemplation which, if carried into effect, would have resulted in the creation of a relevant merger situation; and
 - (b) if so, whether the creation of that situation may have been expected to result in a substantial lessening of competition within any market or markets in the UK for goods or services.
3. On 6 March 2018, the CMA agreed to the merging parties' request for a three week suspension of the phase 2 timetable under section 39(8A) of the Act.
4. The CMA has now received assurances from Mole Valley Farmers Limited that the arrangements in question have been abandoned.
5. The CMA, having had regard to those assurances, is satisfied that Mole Valley Farmers Limited has, within the terms of section 37(1) of the Act, abandoned the proposal to make arrangements of the kind mentioned in the reference and has consequently cancelled the reference on 4 April 2018.
6. This cancellation is published in accordance with requirements laid down by sections 107(2)(a) and 107(4) of the Act.

John Wotton
Inquiry Chair
4 April 2018