

MERGER NOTICE NO 17: 2021

THE PROPOSED ACQUSITION OF 100% SHARES IN KT ROA PTE. LTD BY KELLOGG TOLARAM NOODLES SINGAPORE PTE. LTD

Pursuant to section 49(1) of the Competition Act 2018, the Competition and Consumer Authority has received a merger notification in relation to the proposed acquisition by Kellogg Tolaram Noodles Singapore Pte. Ltd ("KT Noodles JV") of KT ROA Pte. Ltd ("KT ROA").

The Acquiring Enterprise, KT Noodles JV, is a private company incorporated with limited liability in Singapore. The Acquiring Enterprise is involved in developing, marketing, manufacturing and selling instant noodles, long cooked noodles and pasta products in certain African Jurisdictions. KT Noodles JV does not control any entities which operate in Botswana.

KT Noodles JV is a Joint Venture held by a holding company falling within the Kellogg Company group and the Tolaram Group. The Kellogg Company is listed on the New York Stock Exchange. On the other hand, Tolaram Group is controlled by T-Seven Limited a private company incorporated with limited liability in the British Virgin Islands.

KT ROA, the Target Enterprise, is a private company incorporated with limited liability in Singapore, and forms part of the Kellogg Company group. The Target Enterprise also does not directly or indirectly control any enterprises in Botswana. However, KT ROA derives revenue in Botswana from sale of ready to eat and convenience grocery/food products.

According to section 50(3) of the Competition Act 2018, "any person, including a third party not a party to the proposed merger, may voluntarily submit to the inspector or the Authority any document, affidavit, statement or other relevant information in respect of a proposed merger."

The Competition and Consumer Authority therefore seeks any stakeholder views for or against the proposed merger, which may be sent within 10 days from date of this publication to the following address:

Director, Mergers and Monopolies Competition and Consumer Authority Private Bag 00101 Plot 28, Matsitama Road, Main Mall Gaborone Tel: +267 3934278 Fax: +267 3121013 Email: CA@competitionauthority.co.bw