



## **MERGER NOTICE NO 57: 2023**

### **THE PROPOSED ACQUISITION BY VARUN BEVERAGES LIMITED OF THE BEVERAGE COMPANY (PTY) LTD**

Pursuant to section 49(1) of the Competition Act 2018, the Competition and Consumer Authority ("the Authority") has received a merger notification for the proposed acquisition of the entire issued share capital by Varun Beverages Limited ("Varun India" or the "Acquiring Enterprise") in The Beverage Company (Pty) Ltd ("Bevco" or the "Target Enterprise"). Following the implementation of the proposed merger, the Acquiring Enterprise shall become the sole shareholder of the Target Enterprise.

The Acquiring Enterprise, Varun India, is a company incorporated in accordance with the Laws of India. Varun India is a public company which is listed on National Stock Exchange of India Limited (NSE), as well as the Bombay Stock Exchange Limited (BSE). For completeness, the largest shareholders of Varun India with more than a 5% interest as at 30<sup>th</sup> September are RJ Corp Limited (26.92%), Ravi Kant Jaipuria (17.64%), and Varun Jaipuria (16.04%). Varun India is active in the beverage industry principally in India and it is one of the largest franchisees of PepsiCo worldwide (outside of the United States of America). Specifically, Varun India manufactures, distributes and sells a wide range of carbonated soft drinks, as well as a large selection of non-carbonated beverages, including packaged drinking water sold under trademarks owned by PepsiCo. Through its controlled subsidiaries, the Acquiring Enterprise also has presence in various countries such as Nepal, Sri Lanka, Morocco, Zambia, Zimbabwe, and South Africa. Varun India does not currently have any direct or indirect business activities in Botswana.

The Directors of Varun India are: Mr Ravi Jaipuria, Mr Varun Jaipuria, Mr Raj Gandhi, Mr Rajinder Jeet Singh Bagga, Dr Ravi Gupta, Mr Abhiram Seth, Mr Anil Kumar Sondhi, Ms Rashmi Dhariwal and Ms Sita Khosla, all of whom are Indian Nationals.

The Target Enterprise, Bevco is a company registered in accordance with the Laws of the Republic of South Africa. The Target Enterprise is a beverage producer engaged in the production of carbonated soft drinks primarily in 2 litre plastic pack sizes. It sells its own branded carbonated soft drink products called "Refreshhh", "Jive" and "Coo-ee" and is also a private label carbonated soft drink bottler to various retailers in South Africa. Bevco also produces a range of mixers, energy drinks and water and is a registered bottler for PepsiCo in South Africa. The Target Enterprise is not domiciled in Botswana, but it derives revenue from Bevco products which are distributed and sold by merchants on its behalf throughout Botswana.

The Directors of Bevco are: Michael Leith Adendorff, Lyle Leroy Batchelor, Michael Errol Benjamin, Jose Bruno Fernandes, Richard Fienberg, Robin Michael Goetzche, Elie

George Issa, Jonathan Edward Roland Matthews, Glynn James Potgieter, Lance Neville Sheppard, all of whom are South African.

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  
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