



**competition commission**  
*south africa*

**Weekly Media Statement**

**For Immediate Release**

**12 June 2020**

**LATEST DECISIONS BY THE COMPETITION COMMISSION**

**1.1 Emasa Holdings (Pty) Ltd (Emasa)/ Dewfresh (Pty) Ltd (Dewfresh)**

The Commission has recommended that the Competition Tribunal approve the proposed transaction whereby Emasa intends to acquire Dewfresh without conditions.

Emasa is ultimately controlled by GEPF. Emasa is a special purpose vehicle which was incorporated for purposes of the proposed transaction and currently does not have any activities. GEPF is the largest pension fund in Africa which administers and manages pensions and other benefits on behalf of its members through investments in numerous assets.

Dewfresh is involved in the manufacturing and distribution of a range of short and long life dairy and fruit juice products, for example, fresh milk, fresh cream, yoghurt, amasi, buttermilk, etc.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

**1.2 Cotton Seed Enterprises (Pty) Ltd (CSE)/ The South African Cotton Business (SA Cotton Business) of Bayer (Pty) Ltd (Bayer SA)**

The Commission has unconditionally approved the proposed merger whereby CSE intends to acquire the SA Cotton Business from Bayer SA.

CSE is a newly incorporated entity, which is not involved in any business activities.

The SA Cotton Business is essentially a distribution business, which distributes the Candia cotton seed variety under the trademark FiberMax® in terms of a licensing agreement with an Australian company, Cotton Seed Distributors Ltd (CSD). The SA Cotton Business consists largely of a store of seed to be sold.

The Commission found that the proposed transaction is unlikely to result in a substantial prevention or lessening of competition in any relevant markets. The Commission further found that the proposed transaction does not raise any public interest concerns.

**2 Non-Referrals: The Commission has taken a decision to non-refer (not to prosecute) the following cases:**

**2.1 Charles Stephens, Company Director: Community for Leadership (Pty) Ltd v City of Mbombela, Electrical Accounts**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.2 Obakeng Khunou obo Khunou and Nape Trading Projects v Lanxess Chrome Mine**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.3 Mr C Plenkenpol in the capacity of TCB Enterprises (Pty) Ltd v Marthinus De Waal in the capacity of The Captain's Beard (Pty) Ltd**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.4 Yabo Zamanguni Makhanya v MTN South Africa**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.5 Vishvarueben Reddy v Travelcheck Cape Town**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.6 Alma South Africa (Pty) Ltd trading as the ETL Group v Nissan Motor Company South Africa (Pty) Ltd**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.7 Kabelo Tsopo v Mega Bus Coach (Virginia) and Harmony Mining Limited**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.8 Anonymous v CropLife South Africa and Plant Science Consultants Association**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.9 Mogammat Cader v South African Hajj and Umrah Council**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.10 Johannes Daniel Raubenheimer v Bandeker Supply Store**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.11 Shirley Glyn v Parktown North residents Association (Chairperson Lee-Ann Louverdis)**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.12 Transvaal Clothing Manufacturer Association, Eastern province Clothing Manufacturer Association and South African Clothing Manufacturer Association v National Bargaining Council for the Clothing Manufacturing Industry, Apparel and Textile Association of South Africa, South African Apparel Association and South African Clothing and Textile Workers' Union**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.13 Ignatius Ellis v Checker Hyper in Three Rivers, Vereeniging**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.14 Robin Johnathan Hayes v Melkbos Service Station**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**2.15 Enver Chetty v Liquor City Long Street, Kempton Park**

The Commission is of the view that the conduct complained of does not contravene the Competition Act.

**[ENDS]**

**Issued by:**

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