



FAIR COMPETITION COMMISSION



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**IN THE MATTER OF THE NOTIFICATION OF A MERGER BY  
DEERE & COMPANY TO ACQUIRE ASSETS AND SHARES IN  
WIRTGEN HOLDING**

**PUBLIC NOTICE**

(Made under Section 65 (2) (g) of the Fair Competition Act Cap No. 8 of 2003 and Rules 42 (5) and 49 of the Fair Competition Commission Procedure Rules, 2013)

The Fair Competition Commission (FCC) is an independent statutory body established under the Fair Competition Act No. 8 of 2003 (FCA) with the object of enhancing the welfare of the people of Tanzania by promoting and protecting effective competition in markets and preventing unfair and misleading market conduct throughout Tanzania Mainland.

Under the same Act, the FCC has powers to investigate, *inter alia*, entry into and exit from markets. The FCC has received a merger notification to the effect that **Deere & Company (The Applicant)**, a public company incorporated under the laws of the State of Delaware in the United States of America, intends to acquire shares and assets in **Wirtgen Holding (the Target)**, a company incorporated under the laws of Germany. The Target is an internationally operating group of companies in the construction machinery sector incorporating the product brands **Wirtgen; Vögele; Hamm; Kleemann; Benninghoven** and **Ciber**, including sales and service companies.

FCC is currently investigating the intended acquisitions in line with the provisions of the Fair Competition Act and the Fair Competition Commission Procedure Rules, 2013.

Pursuant to Rule 49 of the said Rules, parties (both legal or natural) who deem themselves as having sufficient interest in this merger, or, if the merger is not objected to, it will have or is likely to have material effect on their interests, are hereby NOTIFIED to register their interests and or objections (if any) or file any information that will assist the FCC in reaching a just and reasonable decision with regard to **Deere & Company's** notification of an intended merger. All such parties shall file and register such interest(s) or information by way of written submissions to the FCC within **FOURTEEN** (14) days from the first day of publication of this notice. No submission filed after the said deadline will be accepted.

Registration of the said interests or objections or information should be accompanied by a duly filled Form FCC.10 (Notice of Intention to Participate found in the First Schedule of the Fair Competition Commission Procedure Rules, 2013). Failure to fill in Form FCC.10 will deny a party the right to make any oral submissions before the Commission and the presence of that party in the proceedings will be as an observer only.

Submissions must be submitted to the FCC at the address below.

Director General,  
**Fair Competition Commission,**  
GEPF House, 2<sup>nd</sup> Floor, Plot No. 37, Regent Estate,  
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