



FAIR COMPETITION COMMISSION



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**IN THE MATTER OF THE NOTIFICATION OF A MERGER BY  
KWA INVESTMENT CO. (A WHOLLY-OWNED SUBSIDIARY OF  
BAYER AKTIENGESELLSCHAFT) TO ACQUIRE MONSANTO  
TANZANIA LIMITED**

**PUBLIC NOTICE**

(Issued under Section 65 (2) (g) of the Fair Competition Act 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 **KWA Investment Co. (The Applicant)**, an indirect subsidiary of Bayer Aktiengesellschaft which operates in Tanzania as Bayer Life Science Tanzania Limited with its registered office at 369 Toure Drive Road, Ground Floor, Kilwa House Dar es Salaam, intends to acquire the entire share capital of **Monsanto Tanzania Limited (the Target)**, a limited liability company registered at Dar es Salaam, Tanzania.

Bayer Life Science Tanzania Limited is an incorporated company that carries on the business of importation and distribution of crop protection products such as fungicides, insecticides and herbicides from its parent company Bayer Aktiengesellschaft.

Likewise, the Target is a Tanzanian incorporated company and a wholly-owned subsidiary of Monsanto that deals with business of importation and distribution of crop protection products specifically herbicides, seeds and traits.

FCC is currently investigating the intended acquisition in line with the provisions of the Fair Competition Act, No. 8 of 2003 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 the **KWA Investment Co.** notification of an intended merger. All such parties should file and register such interest(s) or information by way of written submissions to the FCC within **fourteen days** (14) from the first day of publication of this notice. No submission filed after the said deadline will be accepted.

Submissions must be submitted to the FCC at the following address:

Director General,  
**Fair Competition Commission,**  
2<sup>nd</sup> Floor, Plot No. 37, Regent Estate,  
Bagamoyo Road,  
P. O. Box 7883  
Dar es Salaam.

Tel: +255 22 2461565/2461566/2461568/2461569 Fax: +255 22 2461567.