



FAIR COMPETITION COMMISSION



IN THE MATTER OF THE FAIR COMPETITION ACT NO. 8 OF 2003

IN THE MATTER OF FAIR COMPETITION COMPLAINT

DOCKET NO. FCC/Comp. No. 1A of 2012

BETWEEN

FAIR COMPETITION COMMISSION - COMPLAINANT

AND

TANGA FRESH LIMITED - RESPONDENT

PUBLIC NOTICE

(Provisional Findings Issued Pursuant Rules 10(9) and 19(7) of the Fair Competition Procedure Rules, 2013 in respect of the infringement of the Provisions of the Fair Competition Act, 2003)

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

In July, 2011, the Fair Competition Commission (“The Complainant” or “The Commission”) independently learnt that Tanga Fresh Limited (The Respondent) had acquired the assets of International Food Processors Limited, a company that was the Respondent’s competitor in the business of buying raw fresh milk in Tanga Region, Tanzania Mainland.

The transaction was effected without seeking and obtaining prior clearance from the Complainant as required by section 11 (2) of the Fair Competition Act No. 8 of 2003.

The effect of the transaction was the strengthening of the Respondent's position of dominance in the relevant market contrary to section 11 (1) of the Fair Competition Act, No. 8 of 2003.

The above act of the Respondent have provisionally been found to be conduct infringing the provisions of section 11 (1) and (2) of the Fair Competition Act, No.8 of 2003.

THEREFORE, BY THIS NOTICE to the general public the Complainant invites written submission from any person (legal or natural) who has reasons to believe that the alleged conduct of the Respondent has affected or is affecting that person's material interest pursuant to Rule 10(9) of the FCC Procedure Rules, 2013 within 14 days from the first day of publication of this **NOTICE** to the following address:

Fair Competition Commission
Ubungo Plaza, 2nd Floor Western Wing
P.O.Box 7883
Dar es Salaam, Tanzania
TEL:+255222461565/66/67/69/;FAX:[+255 222461567](tel:+255222461567)
Email: info@competition.or.tz

In the meantime, the Commission informs the general public that Provisional Findings have been issued to the Respondent.

Issued at Dar es Salaam this **10th** day of **October** 2013

BY THE ORDER OF THE COMMISSION

The Fair Competition Commission
Ubungo Plaza, 2nd Floor Western Wing
P. O. Box 7883, Dar-es-Salaam, Tanzania.