

The Registrar
Competition Branch
Commerce Commission | Te Komihana Tauhokohoko
Wellington

18 October 2021

Amendment to notice seeking clearance | George Weston Foods (NZ) Limited

- 1 George Weston Foods (NZ) Limited has sought a clearance to acquire all the shares in Dad's Pies Limited. It filed a notice dated 7 October 2021.
- 2 If the clearance sought is granted the acquirer may, pursuant to the share sale agreement, be George Weston Foods (NZ) Limited (or some other nominee) or Allied Foods (N.Z.) Limited.
- 3 Allied Foods (N.Z.) Limited owns all the shares in George Weston Foods (NZ) Limited and is the holding company mentioned at paragraph 6.2 of the notice seeking a clearance. It has been determined that the acquirer will, if a clearance is granted, be Allied Foods (N.Z.) Limited.
- 4 The notice is amended accordingly such that any clearance is for the benefit of Allied Foods (N.Z.) Limited. Consequential amendments to the notice appear in the **Schedule 1**.
- 5 **Schedule 2** is a further declaration.

Yours faithfully



David Campbell
Partner
Dentons Kensington Swan

Schedule 1 | Amendments

Section	Para	Action	Amendment
A		Replace	Allied Foods (N.Z.) Limited (' Allied ') George Weston Foods (NZ) Limited ('GWF')
B, C, E	Various ¹	Replace	Allied GWF
B	2.2	Add	<u>Allied has a wholly-owned subsidiary, George Weston Foods (NZ) Limited ('GWF'). Completion of the Acquisition would result in a horizontal aggregation of GWF's and DPL's existing shares of the Wholesale Market. No other market would be affected. GWF is the relevant entity for the purposes of the Commission's competition assessment.</u>
C	3.1	Replace	Allied (company number 52217) GWF (company number 52216)
C	3.1	Replace	Allied Foods (N.Z.) Limited George Weston Foods (NZ) Limited
D	6.2	Add	Through <u>Allied</u> , a New Zealand holding company, GWF
D	6.3	Replace	George Weston Foods Limited GWF
F	18.1	Add	<u>Allied</u> , GWF and DPL
H	28.2	Replace	Allied †

¹ Paragraphs 1.1, 3, 3.1, 3.2, 9.2(a), 9.4, 9.5, 13.2, 14.3, 14.5, and 14.8.

Schedule 2 | Declaration by Allied

I, **Lincoln Verass**, have prepared, or supervised the preparation of the notice seeking clearance dated 7 October 2021 as amended by letter dated 18 October 2021.

To the best of my knowledge, I confirm that:

- all information specified by the Commission has been supplied
- if information has not been supplied, reasons have been included as to why the information has not been supplied
- all information known to the applicant that is relevant to the consideration of this notice has been supplied, and
- all information supplied is correct as at the date of this notice.

I undertake to advise the Commission immediately of any material change in circumstances relating to the notice.

I understand that it is an offence under the Commerce Act to attempt to deceive or knowingly mislead the Commission in respect of any matter before the Commission, including in these documents.

I am an officer of Allied and am duly authorised to submit this notice.

Name and title of person authorised to sign:



Lincoln Verass
Senior Group Counsel

Dated: 18 October 2021