



Danone – further 1% interest in Danone Saputo Dairy Australia

MN-01069

Phase 1 Determination

Acquisition may be put into effect

27 January 2026

1. Determination and statement of reasons

<p>Notified acquisition</p>	<p>Danone Asia Pte Ltd (Danone)’s proposed acquisition of an additional 1% of the share capital in Danone Saputo Dairy Australia Pty Ltd (DSDA), a joint venture between Danone and Saputo Dairy Australia Pty Ltd (Saputo) (the Acquisition). Post-Acquisition, Danone will have a 51% interest in DSDA.</p>
<p>Determination</p>	<p>The Australian Competition and Consumer Commission has determined under section 51ABZE(1) of the <i>Competition and Consumer Act 2010</i> (Cth) that the Acquisition may be put into effect.</p>
<p>Parties to the Acquisition</p>	<p>The acquirer, Danone, is a wholly-owned subsidiary of Danone S.A., a global food-products corporation headquartered in France that specialises in dairy products, plant-based foods, bottled water and specialised nutrition. In Australia, Danone’s business is primarily focused on the wholesale supply of specialised nutrition solutions under its Nutricia brand. It also supplies, at the wholesale level, bottled water under its evian brand into Australia.</p> <p>Saputo is a subsidiary of Saputo Inc., a global dairy company headquartered in Canada. In Australia, Saputo’s business is primarily focused on the production, marketing and distribution of dairy and non-dairy products under its Caboolture, Cheer, Cracker Barrel, Devondale, Great Ocean Road, Liddells, Mersey Valley, MG Ingredients, Mil Lel, Sheese, South Cape, Sungold and Tasmanian Heritage brands.</p> <p>The target, DSDA, is a joint venture between Danone and Saputo established to manufacture and wholesale supply fresh dairy products in Australia. DSDA supplies fresh dairy products under brands such as Activia, Liddells, Ultimate and YoPro, as well as Aldi’s private label brands, Premiere and Yoguri.</p>
<p>Relationship between the parties</p>	<p>There is no horizontal overlap between Danone and DSDA in Australia. Danone does not manufacture or supply fresh dairy products in Australia, and DSDA does not manufacture or supply bottled water or specialised nutrition products in Australia.</p> <p>As part of the joint venture arrangement, Danone supplies intellectual property, certain research and development services and technical support to DSDA. These existing support and supply arrangements would continue after the Acquisition.</p>
<p>Reasons for determination</p>	<p>When making a determination in Phase 1, the Australian Competition and Consumer Commission (ACCC) undertakes a competition assessment and considers whether it is appropriate for an acquisition to be approved or subject to further assessment in Phase 2 in accordance with section 51ABZJ of the <i>Competition and Consumer Act 2010</i> (Cth) (the Act). In doing so, the ACCC must have regard to the object of the Act and all relevant matters, including the interests of consumers.</p> <p>For more information about the ACCC’s approach to considering notified acquisitions, see the ACCC’s merger assessment guidelines and interim merger process guidelines.</p> <p>In conducting its competition assessment, the ACCC has considered the information and documents that were submitted with the</p>

	<p>notification form and publicly available information.</p> <p>The ACCC has determined that the Acquisition may be put into effect as it considers that the Acquisition is unlikely to have the effect of substantially lessening competition in any market. In reaching its decision, and based on the material before it, the ACCC makes the following findings.</p> <ul style="list-style-type: none"> • There is no horizontal overlap between the activities of Danone and DSDA. • By increasing Danone’s interest in DSDA from 50% to 51%, the proposed Acquisition will increase the degree of control held by Danone, and Danone and DSDA will be related bodies corporate for the purposes of the Act. However, given the particular governance rights already in place between Danone and Saputo under this joint venture arrangement (and the degree of control and influence already afforded to Danone), and the fact that Danone and DSDA are not competitors in Australia, the ACCC considers that the proposed Acquisition is unlikely to significantly alter the nature of the existing relationship between Danone and DSDA or have a significant effect on competitive dynamics. • The Acquisition does not impact the level of competition that DSDA would face in the manufacture and wholesale supply of fresh dairy products in Australia.
<p>Applications for review</p>	<p>A notifying party, or other person who has been allowed to do so by the Australian Competition Tribunal, may apply for review if they are dissatisfied with the determination. Pursuant to section 100C of the Act, applications for review of the determination are to be made to the Australian Competition Tribunal before the end of 14 calendar days after this statement of reasons was included on the ACCC’s Acquisitions Register. To confirm whether there has been any application for review, please contact the Australian Competition Tribunal.</p>

Determination made by a division of the Commission constituted by a direction issued pursuant to section 19 of the Act