

**IN THE MATTER OF THE PROPOSED  
ACQUISITION BY LOTTE CHILSUNG  
BEVERAGE CO. LTD. OF SHARES IN  
PEPSI-COLA PRODUCTS  
PHILIPPINES, INC.**

**MAO Case No. M-2020-006**

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**COMMISSION DECISION NO. 09-M-006/2020**

This is a review of the proposed acquisition by Lotte Chilsung Beverage Co. Ltd. (“Lotte Chilsung”) of shares in Pepsi-Cola Products Philippines, Inc. (“Pepsi Philippines,” and together with Lotte Chilsung, the “Parties”), pursuant to Sections 16 and 17 of Republic Act No. 10667 and Section 1, Rule 4 of the Rules and Regulations to Implement the Provisions of Republic Act No. 10667.

Upon review of the findings and recommendation of the Mergers and Acquisitions Office and the Parties’ submissions, the Commission finds that the proposed acquisition by Lotte Chilsung of shares in Pepsi Philippines (the “Transaction”) will not likely result in substantial lessening of competition.

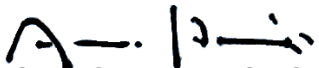
This is because Post-Transaction, sufficient competitive constraints remain from other participants in the market for the supply of carbonated soft drinks, non-carbonated beverages, and bottled water within the Philippines.

Moreover, the Transaction will not likely give the Parties an increased ability or incentive to engage in input and customer foreclosure in the global market for supply of Polyethylene Terephthalate (PET) resins and the national market for distribution of non-alcoholic beverages.

**ACCORDINGLY**, the Commission resolves to take no further action with respect to the proposed Transaction between Lotte Chilsung and Pepsi Philippines.

This Decision is rendered solely on the basis of the facts disclosed and circumstances of the proposed Transaction and documents submitted by Lotte Chilsung and Pepsi Philippines.

26 March 2020.

  
**ARSENIO M. BALISACAN**  
Chairman

  
**JOHANNES BENJAMIN R. BERNABE**  
Commissioner

  
**AMABELLE C. ASUNCION**  
Commissioner

  
**MACARIO R. DE CLARO, JR.**  
Commissioner

  
**EMERSON B. AQUENDE**  
Commissioner

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