

***Case No COMP/M.6657 -
MARUBENI CORPORATION/
GAVILON HOLDINGS***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 24/08/2012

***In electronic form on the EUR-Lex website under document
number 32012M6657***



EUROPEAN COMMISSION

Brussels, 24/08/2012
SG-Greffe(2012) D/
C(2012) 6053

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

Dear Madam(s) and/or Sir(s),

**Subject: Case No COMP/M.6657 - MARUBENI CORPORATION/ GAVILON HOLDINGS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 26/07/2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Marubeni Corporation ("Marubeni", Japan) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Gavilon Holdings, LLC ("Gavilon", United States of America) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - Marubeni is a general trading company with worldwide activities in the handling of products and provision of services in a broad range of sectors. These sectors encompass importing, exporting, transactions in the Japanese market and offshore trading, related to food materials, food products, textiles, materials, pulp and paper, chemicals, energy,

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

metals and mineral resources and transportation machinery. Marubeni's activities also extend to power projects and infrastructure, plants and industrial machinery, finance, logistics and the information industry, as well as real estate development and construction;

- Gavilon is a commodity management company, offering international origination, storage and handling, transportation and logistics, marketing and distribution and risk management services in three main business segments: (i) grains and ingredients (including grain and animal by-products); (ii) fertilizers; and (iii) energy products.²
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5 (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.
 4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² Publication in the Official Journal of the European Union No C 232,03.08.2012, p.12.

³ OJ C 56, 5.3.2005, p. 32.