

EN

***Case No COMP/M.6664 -  
AL SAFI DANONE / NDL  
INTERNATIONAL / ND  
LOGISTICS LLC JV***

Only the English text is available and authentic.

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

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Article 6(1)(b) NON-OPPOSITION

Date: 04/09/2012

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EUROPEAN COMMISSION

Brussels, 04.09.2012  
C(2012) 6026

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties:**

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

**Subject: Case No COMP/M.6664 – AL SAFI DANONE / NDL INTERNATIONAL / ND LOGISTICS LLC JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 2 August 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Al Safi Danone, ultimately controlled by Danone SA ('Danone', France), and NDL International, belonging to the Norbert Dentressangle group (France), acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of ND Logistics LLC by way of purchase of shares in a newly created company constituting a joint venture<sup>2</sup>.

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<sup>1</sup> 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.

<sup>2</sup> Publication in the Official Journal of the European Union No C 242, 11.08.2012, p.10

2. The business activities of the undertakings concerned are:
  - Al Safi Danone: production and distribution of fresh dairy products, juices, desserts and milk in the Middle East. It is part of Danone group, a leading world-wide manufacturer of food products, in particular dairy products, waters, baby food and medical nutrition products;
  - NDL International: logistics services. It is part of Norbert Dentressangle, a leading worldwide provider of logistics, transport and freight forwarding services;
  - ND Logistics LLC: joint venture active in logistics services and wholesale of food in the Middle East.
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(a) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>3</sup>.
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*

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<sup>3</sup> OJ C 56, 5.3.2005, p. 32.