

***Case No COMP/M.6915 - OJSC UNIMILK COMPANY/
NDL INTERNATIONAL/ JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION

Date: 03/06/2013

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EUROPEAN COMMISSION

Brussels, 03.06.2013
C(2013) 3449 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

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

**Subject: Case No COMP/M.6915 – OJSC UNIMILK COMPANY/ NDL INTERNATIONAL/ JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 29.04.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings OJSC Unimilk Company ("OJSC Unimilk", Russia), ultimately controlled by Danone Group ("Danone", France), and NDL International, belonging to the Norbert Dentressangle Group ("NDL", France) acquire within the meaning of Article 3(4) of the Merger Regulation joint control over NDL Holding Russia BV ('NDLH Russia', the Netherlands) by way of purchase of shares in a newly created joint venture.
2. The business activities of the undertakings concerned are:
 - OJSC Unimilk is active in the production and sale of milk and dairy products. It is part of Danone, a world-wide manufacturer of food products, in particular dairy products, water, baby food and medical nutrition products.

¹ 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.

- NDL International is a supplier of logistics services. It is part of NDL, a world-wide provider of logistics, transport and freight forwarding services.
 - NDLH Russia will provide logistics and distribution of chilled food and beverage products in Russia.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(a) 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 130, 07/05/2013, p.13

³ OJ C 56, 5.3.2005, p. 32.