

***Case No COMP/M.5209 -  
DUPONT / DANISCO***

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: 10/07/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10/07/2008

SG-Greffe(2008) D/204474

C(2008)3668

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

**To the notifying party:**

**For information – Legal representative:**

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

**Subject: Case No. COMP/M.5209 – DUPONT/ DANISCO**

**Notification of 10.06.2008 pursuant to Article 4 of Council Regulation (EC) No. 139/2004<sup>1</sup>**

**Publication in the Official Journal of the European Communities No. C 152, 18.06.2008, page 28.**

1. On 10.06.2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertakings E.I. du Pont de Nemours and Company ("DuPont", USA) and Danisco U.S., Inc. ("Danisco", USA) which is controlled by Danisco A/S (Denmark) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking DuPont Danisco Cellulosic Ethanol LLC ("DDCE", USA) by way of purchase of shares in a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are :
  - for DuPont : production of chemical products, agro-chemicals and other materials;
  - for Danisco : production of a broad range of food ingredients;

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<sup>1</sup> OJ L 24, 29.1.2004 p. 1.

- for DDCE: development and commercialisation of technology packages for the manufacture of cellulosic ethanol.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph c, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004<sup>2</sup>.
  4. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No. 139/2004.

For the Commission,  
(Signed)  
Philip LOWE

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<sup>2</sup> OJ C 56, 05.3.2005 p.32.