

***Case No COMP/M.6432 -
DSM / ROQUETTE / JV***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 19/12/2011

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EUROPEAN COMMISSION

Brussels, 19/12/2011
C(2011)9934

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6432 - DSM / ROQUETTE / JV
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 17/11/2011, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which DSM Succinic Acid B.V. (the Netherlands) controlled by Koninklijke DSM N.V. ("DSM", the Netherlands) and Roquette B.V. ("Roquette", the Netherlands) belonging to the Roquette Frères group (France) acquire within the meaning of Article 3(4) of the Merger Regulation joint control of Reverdia V.O.F. (the Netherlands) 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 DSM: human and animal nutrition, pharmaceuticals, performance materials and industrial chemicals,
 - for Roquette: production of starch and starch derivatives.
2. 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) (i)

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.

² Publication in the Official Journal of the European Union No C 343, 23.11.2011, p.18

and (ii) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004³.

3. 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

³ OJ C 56, 5.3.2005, p. 32.