

EN

***Case No COMP/M.6575 -  
GLENCORE  
INTERNATIONAL /  
VITERRA***

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: 02/07/2012

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## EUROPEAN COMMISSION

Brussels, 2.7.2012  
C(2012) 4673 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

### **To the notifying party**

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

**Subject: Case No COMP/M.6575 – GLENCORE INTERNATIONAL / VITERRA  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup>**

1. On 4 June 2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking Glencore International plc ('Glencore', headquartered in Switzerland) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of the undertaking Viterra Inc. ('Viterra', Canada) by way of purchase of shares<sup>2</sup>.
2. The business activities of the undertakings concerned are:
  - Glencore is a commodities trading and mining company active in the supply of a wide range of commodities and raw materials, including metals, minerals, oil and oil products, coal and agricultural products, to industrial customers worldwide. Through its agricultural products business segment Glencore originates and markets wheat, corn, barley, rice, oilseeds, meals, edible oils, biodiesel, cotton and sugar. Glencore also provides financing, logistics and other supply chain services,

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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 166, 12.6.2012, p. 7.

- Viterra is a global agribusiness active in grain handling and marketing, food processing and the sale of agriproducts. Through its grain handling and marketing operations Viterra accumulates, stores, transports and markets grains, oilseeds and special crops including wheat, barley, rapeseed, oats, pulses and flax.
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 139/2004<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.