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***Case No COMP/M.6758 - BUNGE GROUP/ MBF/ NOVAOL
AUSTRIA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 08/01/2013

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EUROPEAN COMMISSION

Brussels, 8.1.2013
C(2013) 50 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties

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

**Subject: Case No COMP/M.6758 - BUNGE GROUP/ MBF/ NOVAOL AUSTRIA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No
139/2004¹**

1. On 29.11.2012, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Bunge Group ("Bunge", Switzerland), acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control over Mannheim Bio Fuel GmbH ("MBF", Germany) and Novaol Austria GmbH ("Novaol", Austria), both currently controlled by Diester Industrie International SAS ("DII"), a joint venture between Diester Industries SAS ("Diester", France) and Bunge, by way of a purchase of shares².
2. The business activities of the undertakings concerned are:
 - for Bunge: global agribusiness and food company with the following four divisions: (i) agribusiness, (ii) sugar and bioenergy, (iii) food and ingredients and (iv) fertilizer;
 - for MBF and Novaol: production and sale of biodiesel and crude glycerine, a by-product in the production of biodiesel.
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(d) of

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 378, 08.12.2012, p.41

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

³ OJ C 56, 5.3.2005, p. 32.