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***Case No COMP/M.6928 -  
CONAGRA FOODS /  
CARGILL / CHS /  
ARDENT MILLS JV***

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: 24/06/2013

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EUROPEAN COMMISSION

Brussels, 24.6.2013  
C(2013) 4083 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

**To the notifying parties**

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

**Subject: Case No COMP/M.6928 - CONAGRA FOODS / CARGILL / CHS / ARDENT MILLS JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004<sup>1</sup>**

1. On 28 May 2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings ConAgra Foods Inc. ("ConAgra Foods", USA), Cargill, Incorporated ("Cargill", USA) and CHS Inc. ("CHS", USA) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Ardent Mills S. à r. l. ("Ardent Mills", Luxembourg) by way of purchase of shares in a newly created company constituting a joint venture.<sup>2</sup>
2. The business activities of the undertakings concerned are:
  - for ConAgra Foods: North American food company,
  - for Cargill: supply of food, agricultural, financial and industrial products and services,
  - for CHS: supply of diversified products and services in the energy, grains and food sectors,
  - for Ardent Mills: flour milling and sale of various grades of flour, bakery mixes and other output from the milling process in North America.

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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 C159, 5.6.2013, p. 6.

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 139/2004.<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.