

EN

***Case No COMP/M.7141 - AGCO CORPORATION / BASIC  
ELEMENT/ RUSSIAN 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: 18/03/2014

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## EUROPEAN COMMISSION

Brussels, 18.3.2014  
C(2014) 1931 final

PUBLIC VERSION

SIMPLIFIED MERGER  
PROCEDURE

### **To the notifying parties:**

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

**Subject: Case M.7141 - AGCO CORPORATION / BASIC ELEMENT/ RUSSIAN JV  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup>**

1. On 18 February 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which AGCO Corporation ("AGCO Corporation", USA) and Basic Element ("Basic Element", Russia) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of newly created companies constituting a joint venture (jointly referred to as the "Russian JV", Russia) by way of purchase of shares.<sup>2</sup>
2. The business activities of the undertakings concerned are:
  - for AGCO Corporation: design, manufacturing, marketing and distribution of agricultural machinery worldwide,
  - for Basic Element: diversified industrial group, operating inter alia in automobile manufacturing and production of road-building equipment in Russia,

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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 53, 25.2.2014, p. 29.

- for the Russian JV: design, development, assembly, component localisation, manufacturing and distribution of certain agricultural machinery and equipment in Russia.
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 366, 14.12.2013, p. 5.