

Case No COMP/M.7299 - COFCO/ NIDERA

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

Article 6(1)(b) NON-OPPOSITION
Date: 25/09/2014

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EUROPEAN COMMISSION

Brussels, 25.9.2014
C(2014) 7042 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

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

Subject: Case M.7299 - COFCO/ NIDERA
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹

1. On 25 August 2014, the European Commission received notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of the Merger Regulation by which the undertaking COFCO Corporation ("COFCO", China) acquires within the meaning of the article 3(1)(b) of the Merger Regulation sole control of Nidera Capital B.V. ("Nidera", the Netherlands) by way of purchase of shares.²
2. The business activities of the undertakings concerned are:
 - for COFCO: large supplier of diversified products and services in the agricultural products and food industry in China,
 - for Nidera: origination, processing, merchandising, trading, handling, storage and shipment of agricultural commodities and bio-energy products. In addition, Nidera distributes agricultural inputs (seeds, nutrients and crop protection), invests in research & development and produces agronomic seeds.

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 293, 2.9.2014, p. 14.

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 139/2004.³
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 366, 14.12.2013, p. 5.