



EUROPEAN COMMISSION
DG Competition

***Case M.7883 - NPM
CAPITAL / THIJS
HENDRIX BEHEER /
HENDRIX GENETICS***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 15/07/2016

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EUROPEAN COMMISSION

Brussels, 15.7.2016
C(2016) 4737 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying parties:

Dear Sirs,

**Subject: Case M.7883 – NPM CAPITAL / THIJS HENDRIX BEHEER / HENDRIX GENETICS
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004¹**

1. On 14 June 2016, 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 undertakings **NPM Capital N.V.** ('NPM', the Netherlands) and **Thijs Hendrix Beheer B.V.** ('THB', the Netherlands) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking **Hendrix Genetics B.V.** ('Hendrix', the Netherlands) by way of a contract. Hendrix is currently solely controlled by THB.²
2. The business activities of the undertakings concerned are:
 - For NPM: investment company with investments in various sectors, such as building materials, consumer goods, healthcare, e-commerce, industrial services and retail. NPM is a wholly-owned subsidiary of SHV Holdings N.V. that is a Dutch

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 227, 23.06.2016, p. 25.

- investment company with investments in various sectors of the economy, including in the production of animal feed and the processing and sale of poultry and pig meat;
- For THB: holding company that is the majority shareholder of Hendrix. THB is further active in recreational services;
 - For Hendrix: breeding and propagation of animals, in particular (i) pigs, (ii) poultry, such as day-old chicks, and (iii) fish.
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. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission

(signed)

Johannes LAITENBERGER

Director-General

³ OJ C 366, 14.12.2013, p. 5.