



EUROPEAN COMMISSION  
DG Competition

***Case M.8007 - AVRIL /  
BPIFRANCE / BPT  
ISRAEL / EVERTREE***

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: 30/05/2016

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EUROPEAN COMMISSION

Brussels, 30.05.2016  
C(2016) 3366 final

PUBLIC VERSION
SIMPLIFIED MERGER PROCEDURE

**To the notifying parties:**

Dear Sirs,

**Subject: Case M.8007 – AVRIL / BPIFRANCE / BPT ISRAEL/ EVERTREE  
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)  
No 139/2004<sup>1</sup> and Article 57 of the Agreement on the European Economic Area<sup>2</sup>**

1. On 29 April 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 Avril Protein Solutions S.A.S. ("Avril Holding", France), controlled by Bpifrance Investissement S.A.S. ("Bpifrance", France) and Avril Industrie S.A.S. ("Avril", France) on one hand, and Biopolymer Technologies Ltd. ("BPT Israel", Israel) on the other, acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control of the Evertree S.A.S. ("Evertree", France) by way of purchase of shares in a newly created company constituting a joint venture.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for Avril: active in the field of human food, animal feed, biofuel and biochemical extraction, valorisation, marketing and sales of vegetable oils and proteins, in the EEA.
  - for Bpifrance: an investment fund offering funds and direct investments to industrial projects, including projects deemed to boost the development of the French economy

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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> OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

<sup>3</sup> Publication in the Official Journal of the European Union No C 167, 11.05.2016, p. 17.

in the frame of the French State project "Programme d'investissement d'avenir", active mainly in France, and also in the EEA.

- for BPT Israel: an R&D and IP start-up company active in the development and testing of a broad range of intellectual property related to the use of protein in applications.
  - for Evertree: active in the field of research, development, marketing and manufacturing of products and solutions derived from vegetable proteins (oilseed meals) in applications such as additives in the resins used for the manufacture of wood composite boards, wood adhesives and any relevant application that could be further developed, in the EEA.
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.<sup>4</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 and Article 57 of the EEA Agreement.

*For the Commission*

*(signed)*  
*Johannes LAITENBERGER*  
*Director-General*

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<sup>4</sup> OJ C 366, 14.12.2013, p. 5.