



EUROPEAN COMMISSION  
DG Competition

***Case M.9123 - ADM / NEOVIA***

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: 12/12/2018

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## EUROPEAN COMMISSION

Brussels, 12.12.2018  
C(2018) 8888 final

PUBLIC VERSION

**To the notifying party**

**Subject: Case M.9123 — ADM/Neovia  
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>**

Dear Sir or Madam,

1. On 16 November 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Archer Daniels Midland group ("ADM", USA), via its wholly-owned subsidiary ADM France acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Neovia (France) by way of a purchase of shares.<sup>3</sup>
2. The business activities of the undertakings concerned are:
  - for ADM: processing of oilseeds, corn, sugar, wheat and other agricultural commodities and in the manufacture of vegetable oils and fats, vegetable protein, meal, corn, sweeteners, flour, biodiesel, ethanol, and other value added food and feed ingredients and additives,
  - for Neovia: production and marketing of a wide range of animal nutrition products for the feed industry, operating in business lines including premix and value-added services, pet food, additives and supplements, aquaculture and complete feed.

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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 425, 26.11.2018, p. 20.

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.