



EUROPEAN COMMISSION
DG Competition

***Case M.10204 - TOTAL PRODUCE /
DOLE FOOD COMPANY***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 07/06/2021

***In electronic form on the EUR-Lex website under document
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EUROPEAN COMMISSION

Brussels, 07.06.2021
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PUBLIC VERSION

Total Produce plc
29 North Anne Street
Dublin 7 D07 PH36
Republic of Ireland

DFC Holdings, LLC
200 S Tryon St., Suite 600
Charlotte NC 28211
USA

**Subject: Case M.10204 – TOTAL PRODUCE / DOLE FOOD COMPANY
Commission decision pursuant to Article 6(1)(b) of Council Regulation
(EC) No 139/2004¹ and Article 57 of the Agreement on the European
Economic Area²**

Dear Sir or Madam,

1. On 10 May 2021, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which Total Produce plc (“Total Produce”, Republic of Ireland) enters into a full merger within the meaning of Article 3(1)(a) of the Merger Regulation with DFC Holdings and its wholly owned subsidiary, Dole Food Company Inc (“Dole Food Company”). DFC Holdings and Dole Food Company are together referred to as “Dole”).³
2. The business activities of the undertakings concerned are:
 - for Total Produce: import and distribution of a wide range of fresh fruit and vegetables, including bananas and pineapples. Total Produce also operates banana ripening centres and is active worldwide, with a focus on Europe;

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 OJ L 1, 3.1.1994, p. 3 (the ‘EEA Agreement’).

³ Publication in the Official Journal of the European Union No C 193, 20.5.2021, p.6-7.

- for Dole: production, sales and distribution of fresh fruit and vegetables, including bananas and pineapples, in North America, Europe, Latin America, South Africa and Dubai, with a main focus on North America.
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(d) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
 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)
Olivier GUERSENT
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.