EUROPEAN COMMISSION

Brussels, 16.5.2024
C(2024) 3395 final

PUBLIC VERSION

AGRAVIS Pflanzenbau Holding GmbH
Industrieweg 110
48155 – Münster
Germany

Nordic Seed A/S
Kornmarken 1
8464 - Galten
Denmark

Subject: **Case M.10921 - AGRAVIS RAIFFEISEN / DANISH AGRO / NORDIC SEED GERMANY**
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC) No 139/2004 ([1]) and Article 57 of the Agreement on the European Economic Area ([2])

Dear Sir or Madam,

(1) On 19 April 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which, AGRAVIS Pflanzenbau Holding GmbH ('APH', Germany), controlled by AGRAVIS Raiffeisen AG (Germany), and Nordic Seed A/S, ('NOS', Denmark), controlled by Danish Agro a.m.b.a., intend to acquire, within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation, joint control of Nordic Seed Germany GmbH ('NSG', Germany), currently solely controlled by NOS. ([3])

The concentration is to be accomplished by way of purchase of shares.

(2) The business activities of the undertakings concerned are the following:

— APH is an intermediate holding company of the AGRAVIS group with AGRAVIS Raiffeisen AG as group parent company. The AGRAVIS group is active in the agricultural trading and service sector. The group consists of the divisions plant cultivation, agricultural commodity trading, livestock farming

([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]) OJ C, C/2024/2992, 29.4.2024.

(including the production of feedstuff), machinery/ agricultural technology, construction services, retail, and wholesale, energy, and mobility,

— NOS is active in seed breeding, with a portfolio of varieties of wheat, barley, beans, lupins and peas, and in the distribution of third parties' agricultural crops in Denmark, Sweden, Norway, Finland, Germany, and in the Baltic countries. NOS is part of the Danish Agro group with Danish Agro a.m.b.a as group parent company. The Danish Agro group is active in the agricultural, feed, machinery and plant-based food, and proteins business areas.

(3) The business activity of the undertaking NSG is the breeding of hybrid rye seeds.

(4) 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 (b) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ([4])

(5) For the reasons set out in the Notice on a simplified treatment, 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 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').