EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9898 – ARCHER-DANIELS-MIDLAND / MARFRIG GLOBAL FOODS / PLANTPLUS FOODS JV**
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 3 August 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Archer-Daniels-Midland Company ('ADM', U.S.) and Marfrig Global Foods S.A ('Marfrig', Brazil), acquire within the meaning of Articles 3(1)(b) and 3(4) of the Merger Regulation joint control over the undertaking PlantPlus Food LLC ('PlantPlus Food', U.S.), a newly created company constituting a joint venture, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – for ADM: processing of oilseeds, corn, sugar, wheat and other agricultural commodities and a manufacturer of vegetable oils and fats, vegetable protein, meal, corn, sweeteners, flour, biodiesel, ethanol, and other value added food and feed ingredients,

   – for Marfrig: producing beef and beef patty producer. Marfrig is a leading global producer of meat-based ready-to-eat products such as canned beef, beef jerky, sauces and sachets,

   – for PlantPlus Food: developing, producing and selling finished beef-like, pork-like and chicken-like vegetable protein based food products.

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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 264, 12.8.2020, p. 4.

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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(a) 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.