EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.10071 — De Agostini Group/Foodiverse/Alnut**
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 23 November 2020, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which De Agostini S.p.A. ('De Agostini', Italy) and Foodiverse Hold, S.L. ('Foodiverse', Switzerland) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control of the whole of Alimentación y Nutrición Familiar, S.L.U. ('Alnut', Spain), a company currently solely controlled by Foodiverse, by way of purchase of shares.[3]

2. The business activities of the undertakings concerned are:

   – De Agostini: investments in private equity and alternative asset management, with a particular focus on the publishing sector, media and communication services, lotteries and gaming services,

   – Foodiverse: provision of asset management activities and services, mainly related to food products companies,

   – Alnut: manufacture and commercialization of (i) prepared baby food products (fruit products and dairy products packaged in plastic tubs and pouches), and (ii) plant based desserts.

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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 412, 30.11.2020, p. 14.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: COMP-MERGER-REGISTRY@ec.europa.eu.

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(b) 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.