V

(Announcements)

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case M.9097 — Boeing/Embraer)

(Text with EEA relevance)

(2019/C 304/03)

1. On 30 August 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— The Boeing Company ('Boeing', United States of America),

— Embraer S.A. ('Embraer', Brazil),

— Embraer's commercial aviation business (Brazil), belonging to Embraer,

— EB Defense, LLC (United States of America), controlled by Embraer.

Boeing acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Embraer's commercial aviation business and related operations and engineering capability, as well as joint control together with Embraer of EB Defense, LLC to build a production facility for Embraer's KC-390 military transport airplane.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Boeing is an American aerospace and defence company based in Chicago, Illinois. Boeing designs, manufactures, and markets commercial aircraft, military aircraft and spacecraft, as well as defence, space, and security systems. Boeing also provides aftermarket services for the aerospace market including performance-based logistics and training.

— Embraer is a Brazilian company based in São José dos Campos, São Paulo, with businesses in commercial and executive aviation, defense and security.

— Embraer's commercial aviation business designs, manufactures, and markets commercial aircraft below 150 seats and provides aftermarket services for its aircraft including operational and technical support and training,

— EB Defense, LLC will carry out the final assembly, marketing and sales, and aftermarket services in relation to Embraer's KC-390 military transport airplane currently under certification.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9097 — Boeing/Embraer

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

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