Prior notification of a concentration

(Case M.9746 — Fyffes Limited/van Wylick GmbH)

Candidate case for simplified procedure

(Text with EEA relevance)

(2020/C 98/13)

1. On 13 March 2020, 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:

— Fyffes Limited ('Fyffes', Ireland), a wholly-owned subsidiary of the Sumitomo Corporation ('Sumitomo', Japan),

— Frutchimport van Wylick GmbH ('van Wylick', Germany).

Fyffes acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of van Wylick.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for Fyffes, the procurement, shipping, import and wholesale of bananas. In the EEA, Fyffes also imports other fruits, including pineapples, and provides some limited banana ripening and shipping services to third parties,

— for Sumitomo, investments in various sectors such as trading of metal products, transportation and construction, chemicals and electronics, media, mineral resources and energy,

— for van Wylick, provision of banana ripening services, as well as distribution of fresh fruit.

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.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

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.9746 — Fyffes Limited/van Wylick GmbH

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

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
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([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.