Prior notification of a concentration

(Case COMP/M.6439 — AGRANA/RWA/JV)

(Text with EEA relevance)

(2012/C 70/09)

1. On 29 February 2012, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]) by which the undertakings AGRANA Beteiligungs-Aktiengesellschaft ('AGRANA', Austria) and RWA Raiffeisen Ware Austria Aktiengesellschaft ('RWA', Austria) acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of a newly created company constituting a joint venture ('the JV', Austria) which will combine their respective subsidiaries AGRANA Juice and Ybbstaler.

2. The business activities of the undertakings concerned are:

— for AGRANA: sugar, starch and fruit,

— for RWA: agricultural products, technical equipment, energy, building materials, building & gardening, services,

— for the JV: production and marketing of fruit juice concentrates, not from concentrate fruit juices, fruit purées, fruit aromas, fruit sweetness, juice compounds and related products.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC 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. Observations can be sent to the Commission by fax (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.6439 — AGRANA/RWA/JV, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

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