

**Prior notification of a concentration****(Case COMP/M.6751 — BayWa/Wilhelm Bohnhorst/Bohnhorst Agrarhandel JV)****(Text with EEA relevance)**

(2013/C 8/06)

1. On 21 December 2012, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 <sup>(1)</sup> by which the undertaking BayWa Agri GmbH, a fully owned subsidiary of BayWa AG ('BayWa'), Germany, and the undertaking Wilhelm Bohnhorst GmbH und Co. KG ('Wilhelm Bohnhorst'), Germany, acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the undertaking Bohnhorst Agrarhandel GmbH ('Bohnhorst Agrarhandel'), Germany, by way of purchase and transfer of shares. Prior to the planned merger Bohnhorst Agrarhandel was a fully owned subsidiary of Wilhelm Bohnhorst.

2. The business activities of the undertakings concerned are:

- BayWa is a worldwide trading and services group consisting of three core segments: Agriculture, Energy and Building Materials. Its Agriculture segment is made up of the business units Agricultural Trade, Fruit and Agricultural Equipment. The company trades in agricultural equipment and other commodities, acquires and markets plant-based agricultural products and sells farming inputs,
- Wilhelm Bohnhorst is a holding company controlled by Helmut Bohnhorst Jr. Apart from participating in Bohnhorst its own commercial activities are very limited,
- Bohnhorst Agrarhandel is an international agribusiness trader that markets agricultural products and supplies to farmers and traders. In addition Bohnhorst provides services in connection with the supply of equipment and the purchase, storage, transfer, marketing and transport of harvested crops.

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.6751 — BayWa/Wilhelm Bohnhorst/Bohnhorst Agrarhandel JV, to the following address:

European Commission  
Directorate-General for Competition  
Merger Registry  
J-70  
1049 Bruxelles/Brussel  
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<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').