

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.5843 — Eli Lilly/Certain Animal Health Assets of Pfizer)

Candidate case for simplified procedure

(Text with EEA relevance)

(2010/C 107/07)

1. On 19 April 2010 the Commission received a notification of a proposed concentration pursuant to Article 4 and following a referral pursuant to Article 4(5) of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking Elanco Animal Health Ireland Limited (EU), controlled by Eli Lilly & Co (USA), acquires within the meaning of Article 3(1)(b) of the EC Merger Regulation control of parts of the undertaking Pfizer Inc (USA) by way of a purchase of assets.

2. The business activities of the undertakings concerned are:

- for Eli Lilly and Co: research based, global pharmaceutical company engaged in the discovery, development, manufacture and sale of a range of pharmaceutical products for humans and animals,
- Pfizer Assets: rights to animal health products in the areas of multivalent feline vaccines, equine influenza and tetanus vaccines, swine *mycoplasma hyopneumoniae* vaccines, parasiticides for companion and production animals, and oral rehydration salts and to a tetracycline spray.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC 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 EC Merger Regulation ⁽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. Observations can be sent to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5843 — Eli Lilly/Certain Animal Health Assets of Pfizer, 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').

⁽²⁾ OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').