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**Common Market for Eastern
and Southern Africa**

Case File No. CCC/MER/03/08/2019

**Decision¹ of the Fifty-Sixth (56th) Committee Responsible for Initial
Determination Regarding the Proposed Acquisition of Hytech Egypt
USA LLC by Seedstone Holding**

ECONOMIC SECTOR: Agriculture

3rd May 2019

¹ In the published version of this decision, some information has been omitted pursuant to Rule 73 of the COMESA Competition Rules concerning non-disclosure of business secrets and other confidential information. Where possible the information omitted has been replaced by ranges of figures or a general description.

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Nature of the Transaction

8. The proposed transaction concerns the acquisition by Seedstone of sole control in Hytech and its subsidiary Misr Hytech.

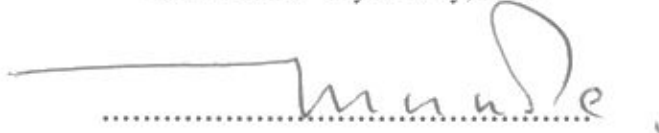
Competition Analysis

9. The CID defined the relevant markets as follows:
- a) supply of hybrid white corn seeds for human consumption in Egypt;
 - b) supply of hybrid corn seeds for non-human consumption in Egypt;
 - c) supply of hybrid grain sorghum seeds in Egypt;
 - d) supply of hybrid sorghum sudangrass seeds in Egypt; and
 - e) supply of hybrid squash seeds in Egypt
10. The CID observed that the merger will not result in any market share accretion, due to the lack of overlapping activities between the merging parties pre-merger.

Determination

11. The CID determined that the merger was not likely to substantially lessen and prevent competition in the Common Market or any substantial part of it. It was also determined that the merger transaction does not affect a substantial part of the Common Market. Consequently, the transaction was not likely to negatively affect trade between Member States. The CID therefore approved the transaction.
12. This decision is adopted in accordance with Article 26 of the Regulations.

Dated this 3rd day of May, 2019



Commissioner Patrick Okilangole (Chairperson)



Commissioner Brian Lingela
(Member)



Commissioner Thembelihle Dube Nee Dlamini
(Member)