

22 September 2016

MEP Michèle Rivasi
Bât. Altiero Spinelli
60, rue Wiertz
1047, Brussels

Commissioner Margrethe Vestager
European Commission
Rue de la Loi
1049 Brussels

Subject: Bayer-Monsanto merger

Dear Commissioner Margrethe Vestager,

On Wednesday 14th September 2016 the German pharmaceutical group Bayer has finally announced it will buy the American seed-maker Monsanto for 59 billion euros.

As it is enshrined in article 2 of Regulation 139/2004, takeovers of this kind are prohibited if they contribute to significantly reduce competition in the single market by strengthening a dominant position. The combined aggregate worldwide turnover of Monsanto and Bayer is far beyond the threshold of 5 billion euros foreseen in the aforementioned Regulation that allows the Commission to trigger an investigation since their turnovers put together amount for 23 billion euros. Moreover, the aggregate Community-wide turnover of each is more than 250 million euros and these two firms are partly operating in the same markets such as the seeds and pesticides' markets.

In February 2013, a report entitled *Seed Giants vs US Farmers* by Center for Food Safety had already showed that the increase in seed prices resulted from the seed industry concentration. If this takeover were effectively to take place, Bayer could control 30% of the seed world market and 24% of the pesticide world market (1). This is what we can call, strengthening a « dominant position ».

Through this operation, Bayer will achieve unprecedented global market dominance in this sensitive area and benefit from an unbearable influence that will threaten the way we feed ourselves as much as our access to affordable medical treatments. Since more and more European citizens are becoming aware that it is now urgent to shift towards a sustainable agricultural model, this takeover will go against their will. While many patients are complaining about the opacity and the prices of some medicines sold by big pharmaceuticals like Bayer, this acquisition will strengthen this tendency. This takeover will go against the principles that matter to us: a vital democracy in which our environment and our health are effectively protected.

The Commission is entitled by the European legislation to open an investigation (2) and ultimately reject such dangerous deals. Therefore, we ask you, Commissioner Margrethe Vestager, to prohibit the acquisition of Monsanto by Bayer.

Yours sincerely,



Vice-President of the Greens / EFA group

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(1) http://www.econexus.info/sites/econexus/files/Agropoly_Econexus_BerneDeclaration.pdf

(2) As you promised in a letter sent to MEPs on June 2016: http://www.sven-giegold.de/wp-content/uploads/2016/06/Vestager-Antwort_Bayer-Monsanto.pdf