

**DEROGATION LETTER
IN RESPECT OF INITIAL ENFORCEMENT ORDERS ISSUED
PURSUANT TO SECTION 72(2) ENTERPRISE ACT 2002**

Consent under section 72(3C) of the Enterprise Act 2002 to certain actions for the purposes of the Initial Enforcement Order made by the Competition and Markets Authority ('CMA') on 1 August 2024

Anticipated acquisition by 2 Agriculture Limited of the Burston and Radstock feed mills of ForFarmers UK Limited (the 'Merger')

Dear Eleanor,

We refer to your submission dated 3 March 2025, requesting that the CMA consents to derogations to the Initial Enforcement Order of 1 August 2024 (the 'Initial Order'). The terms defined in the Initial Order have the same meaning in this letter.

Under the Initial Order, save for written consent by the CMA, Boparan Private Office Limited, Boparan Holdings Limited, Ranjit Singh Boparan, Baljinder Kaur Boparan and 2 Agriculture Limited (**2 Agriculture**) (together **Boparan**), and ForFarmers N.V. and each of ForFarmers N.V.'s subsidiaries including ForFarmers UK Limited (together **ForFarmers**) are required to refrain from taking any action which would transfer the ownership of the ForFarmers feed mills located in Burston (IP22 5TJ) (**Burston Mill**) and Radstock (BA3 5TT) (**Radstock Mill**) (together, the **Target Sites**), or any of the contracts, licences, or assets associated with the Target Sites, and, which might prejudice a reference under section 33 of the Act or impede the taking of any remedial action following such a reference.

After due consideration of your request for derogations from the Initial Order, based on the information received from you and in the particular circumstances of this case, Boparan and ForFarmers may carry out the following actions, in respect of the specific paragraphs of the Initial Order:

Paragraph 8(b) of the Initial Order – Transfer of customer volumes within the ForFarmers business

ForFarmers submitted that one of its customers, [X], has requested that ForFarmers transfer the [X] feed volumes which it produces for [X] at the Burston Mill to ForFarmers' feed mill located at Bury St Edmunds (IP30 9NH) (**Bury Mill**).

ForFarmers currently supplies approximately [X] per month (on average) of [X] feed to [X] from the Burston Mill.

In particular, ForFarmers submitted that the rationale for [X]'s request is to eliminate any uncertainty in its supply arrangements, and to ensure continuity of supply of its [X] feed from ForFarmers should the CMA confirm in its final report, following the provisional finding in its interim report, that the Merger does not give rise to a substantial lessening of competition, and therefore completion of the Merger will be permitted to occur.

The CMA consents to a derogation from paragraph 8(b) of the Initial Order strictly on the basis that:

- (a) This derogation will not cause any disruption to the ongoing operation of the Burston Mill, and will not impact its ability to compete effectively;
- (b) The transfer of customer volumes to the Bury Mill will be limited to the abovementioned volumes of [X] feed supplied by ForFarmers to [X] at the Burston Mill;
- (c) The proposed transfer of customer volumes would not be difficult or costly to reverse;
- (d) ForFarmers will continue to produce volumes for other third party customers at the Burston Mill; and
- (e) This derogation will not result in any pre-emptive action which might prejudice the reference or impede the taking of any action which may be justified by the CMA's decision on the reference.

Yours sincerely,

Faye Fullalove

Assistant Director, Mergers

10 March 2025