

***Case No COMP/M.4883 -
PETROFINA /
GALACTIC / FUTERRO /
JV***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 13/12/2007

***In electronic form on the EUR-Lex website under document
number 32007M4883***



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 13-XII-2007

SG-Greffe(2007) D/207811 - 207812

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam(s) and/or Sir(s),

**Subject: Case No. COMP/M.4883 - PETROFINA / GALACTIC / FUTERRO / JV
Notification of 09.11.2007 pursuant to Article 4 of Council Regulation (EC) No.
139/2004¹
Publication in the Official Journal of the European Union No. C 272 of
15.11.2007, page 23**

1. On 09.11.2007, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the undertakings PetroFina S.A./N.V. ("PetroFina", Belgium) belonging to the Total group ("Total", France) and Galactic S.A./N.V. ultimately controlled by Finasucre S.A. ("Finasucre", Belgium) and Frederic van Gansberghe S.A./N.V. ("FVG", Belgium) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Futerro S.A./N.V. ("Futerro", Belgium) by way of purchase of shares in a newly created company constituting a joint venture.

¹ OJ L 24, 29.1.2004 p. 1

The business activities of the undertakings concerned are:

- PetroFina: manufacture and sale of base chemicals as well as commodity polymers;
 - Total: vertically-integrated energy and chemical company;
 - Galactic: manufacture and sale of lactic acid and its salts and esters (lactates);
 - Finasucre: manufacture and sale of sugar from cane and beet as well as caramels and specialities;
 - FVG: counsel and management services.
2. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraphs (a) and (c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
 3. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EC) No. 139/2004.

For the Commission
Signed
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32