



EUROPEAN COMMISSION
DG Competition

Case M.8072 - TOTAL / SAFT

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 12/07/2016

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EUROPEAN COMMISSION

Brussels, 12.7.2016
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PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party

Dear Sirs,

**Subject: Case M.8072 – TOTAL / SAFT
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹ and Article 57 of the Agreement on the European Economic Area²**

1. On 17 June 2016, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertaking TOTAL S.A. ('TOTAL', France) acquires within the meaning of Article 3(1)(b) of the Merger Regulation control of the whole of Saft Groupe S.A. ('Saft', France) by way of public bid announced on May 9, 2016.³
2. The business activities of the undertakings concerned are:
 - For TOTAL: Energy production in gas and oil sector : TOTAL's business area includes (i) exploration and production, (ii) operations on the whole liquefied natural gas chain, (iii) refining and chemicals, (iv) trading and shipping, (v) marketing and services. Total has diversified its activities into the sector of renewable energies which includes solar energy and biomass;

¹ OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation'). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ('TFEU') has introduced certain changes, such as the replacement of 'Community' by 'Union' and 'common market' by 'internal market'. The terminology of the TFEU will be used throughout this decision.

² OJ L 1, 3.1.1994, p. 3 (the 'EEA Agreement').

³ Publication in the Official Journal of the European Union No C 233, 28.6.2016, p. 9.

- For Saft: Design, development, manufacture and supply of rechargeable and non rechargeable industrial batteries for a wide range of civil and military applications, including industrial infrastructure and transportation systems, smart cities and medical devices, energy storage and telecom networks, industrial vehicles and defense systems, and satellites and space applications.
3. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(c) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004.⁴
 4. For the reasons set out in the Notice on a simplified procedure, the European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation and Article 57 of the EEA Agreement.

For the Commission

(Signed)
Johannes LAITENBERGER
Director-General

⁴ OJ C 366, 14.12.2013, p. 5.