



EUROPEAN COMMISSION
DG Competition

*Case M.9004 - SL04 /
AMBIENTA SGR / JV*

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 09/08/2018

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Brussels, 09.08.2018
C(2018) 5532 final

PUBLIC VERSION

To the notifying parties

**Subject: Case M.9004 – SL04/Ambienta Sgr/JV
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**

Dear Sir or Madam,

1. On 18 July 2018, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings S.L.04 S.à.r.l. ('SL04', Luxembourg), ultimately controlled by L Catterton Partners ('L Catterton', United States) and Ambienta Sgr S.p.A. ('Ambienta', Italy), ultimately controlled by Ambienta Holding S.r.l. (Italy) acquire within the meaning of Article 3(1)(b) and 3(4) of the Merger Regulation joint control over the whole of the undertaking Pibinew S.r.l. ('Pibinew', Italy) by way of a purchase of shares.³
2. The business activities of the undertakings concerned are:
 - for SL04: a private equity firm indirectly controlled by L Catterton whose portfolio companies operate in the retail and restaurant business, the food and beverage business, consumer service and consumer product businesses including the production and sale of cosmetics and fragrance products,
 - for Ambienta: a private equity firm whose portfolio includes companies operating in the renewable power, biofuels, energy efficiency, pollution mitigation and waste and water resource management sectors,

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 264, 26.7.2018, p. 17.

- for Pibinew: designing, manufacturing, decorating and selling plastic packaging for the cosmetic industry.
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.