



EUROPEAN COMMISSION
DG Competition

***Case M.9556 - TRITON /
GRUPO FERTIBERIA***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 23/10/2019

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EUROPEAN COMMISSION

Brussels, 23.10.2019
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PUBLIC VERSION

To the notifying party

**Subject: Case M.9556 – TRITON / GRUPO FERTIBERIA
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 26 September 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation by which the undertakings Triton Managers V Limited, Triton Fund V GP S.à r.l. and TFF V Limited (together Triton Fund V), belonging to a group of independent investment funds managed by the Triton group (Channel Islands) acquire within the meaning of Article 3(1)(b) and Article 3(4) of the Merger Regulation joint control over Fertiberia, S.A, and its subsidiaries (together ‘Grupo Fertiberia’, Spain), currently controlled by Grupo Villar Mir, S.A.U (Spain), by way of purchase of shares.³
2. The business activities of the undertakings concerned are:
 - Triton Fund V is an investment firm dedicated to investing primarily in medium sized businesses headquartered in Northern Europe, with particular focus on businesses in three core sectors, namely Business Services, Industrials and Consumer/Health;
 - Grupo Fertiberia is active mainly in Europe in the production of traditional and special fertilisers for extensive dry land crops, traditional irrigation and drip irrigation as well as industrial chemical products, used as raw chemicals for large industrial companies active in several industries such as chemical, wood, cosmetic or automotive.

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 (the ‘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 332, 3.10.2019, p. 16.

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(b) 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)
Cecilio MADERO VILLAREJO
Acting Director-General

⁴ OJ C 366, 14.12.2013, p. 5.