



EUROPEAN COMMISSION
DG Competition

Case M.11443 - ADNOC / FERTIGLOBE

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 03/04/2024

***In electronic form on the EUR-Lex website under document
number 32024M11443***



EUROPEAN COMMISSION

Brussels, 3.4.2024
C(2024) 2319 final

PUBLIC VERSION

ADNOC Fertilizers – Sole
Proprietorship, L.L.C.
P.O. Box 898, ADNOC Head Quarters
Complex
Abu Dhabi
United Arab Emirates

**Subject: Case M.11443 – ADNOC / FERTIGLOBE
Commission decision pursuant to Article 6(1)(b) of Council Regulation
(EC) No 139/2004 ⁽¹⁾ and Article 57 of the Agreement on the European
Economic Area ⁽²⁾**

Dear Sir or Madam,

- (1) On 7 March 2024, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation, by which ADNOC Fertilizers – Sole Proprietorship, L.L.C. (“ADNOC Fertilizers”, United Arab Emirates), belonging to the ADNOC Group and ultimately controlled by Abu Dhabi National Oil Company P.J.S.C. (“ADNOC”, United Arab Emirates), will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control over the whole of Fertiglobe plc (“Fertiglobe”, United Arab Emirates), which is currently jointly controlled by ADNOC Fertilizers and OCI Fertilizers B.V., by way of purchase of shares. ⁽³⁾
- (2) The business activities of the undertakings concerned are the following:
 - ADNOC Group: the exploration, production, storage, refining, and distribution of oil and gas,
 - Fertiglobe: the production and distribution of nitrogen fertilisers.
- (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

⁽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⁾ OJ C, C/2024/2181, 14.3.2024.

paragraph 5(d) and (e) of the Commission Notice on a simplified treatment for certain concentrations under Council Regulation (EC) No 139/2004. ⁽⁴⁾

- (4) For the reasons set out in the Notice on a simplified treatment, 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)
Olivier GUERSENT
Director-General

⁽⁴⁾ OJ C 160, 5.5.2023, p. 1 (the 'Notice on a simplified treatment').