EUROPEAN COMMISSION

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PUBLIC VERSION

To the notifying parties

Subject: **Case M.9476 – TOYOTA TSUSHO / TOYOTA TSUSHO INDIA / MARUTI SUZUKI INDIA / JV**
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 5 August 2019, the European Commission received notification of a proposed concentration pursuant to Article 4 Toyota Tsusho India Private Limited (India) ("Toyota India") and its parent company the Toyota Tsusho Corporation (Japan) ("Toyota") and Maruti Suzuki India Limited (India) ("Suzuki India"), a subsidiary of the Suzuki Motor Corporation (Japan) ("Suzuki") acquire within the meaning of Article 3(4) of the Merger Regulation joint control of the newly created joint venture ("the JV") (India). The concentration is accomplished by way of purchase of shares in a newly created company constituting a joint venture.[3]

2. The business activities of the undertakings concerned are:

   – for Toyota: among other activities in a variety of industry sectors, the development, production, procurement and sale of automotive and aircraft parts, as well as producing and distributing automobiles;

   – for Suzuki: among other activities, the manufacturing, purchase and sale of motor vehicles, components and spare parts;

   – for the JV: among other activities, the supply, dismantling and processing of end-of-life vehicles and the marketing and sale of scrap and other products from such activities in India.

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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 276, 16.8.2019, p. 17.

Commission européenne, DG COMP MERGER REGISTRY, 1049 Bruxelles, BELGIQUE
Europese Commissie, DG COMP MERGER REGISTRY, 1049 Brussel, BELGIË

Tel: +32 229-91111. Fax: +32 229-64301. E-mail: COMP-MERGER-REGISTRY@ec.europa.eu.

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(a) 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.