Prior notification of a concentration

(Case M.9261 — CD&R/FHI)

Candidate case for simplified procedure

(Text with EEA relevance)

(2019/C 49/11)

1. On 31 January 2019, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ([1]).

This notification concerns the following undertakings:

— Clayton, Dubilier & Rice Fund X, L.P. (Cayman Islands), ultimately controlled by Clayton, Dubilier & Rice, LLC ('CD&R', United States of America),

— FH Investments Limited ('FHI', Jersey), currently ultimately controlled by Cheadle Developments Limited (British Virgin Islands).

CD&R acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of FHI.

The concentration is accomplished by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— for CD&R: a private equity investment firm focussing on management buyouts, strategic minority equity investments and other strategic investments,

— for FHI: holds businesses active in the operation of restaurants, delis and cafes as well as the provision of catering and hospitality services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the Merger Regulation. However, the final decision on this point is reserved.

Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the Council Regulation (EC) No 139/2004 ([2]) it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. The following reference should always be specified:

M.9261 — CD&R/FHI

Observations can be sent to the Commission by email, by fax, or by post. Please use the contact details below:

Email: COMP-MERGER-REGISTRY@ec.europa.eu

Fax +32 22964301

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
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([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 366, 14.12.2013, p. 5.