Prior notification of a concentration

(Case M.10783 – EQT FUTURE / AM FRESH / SNFL / IFG)

(Text with EEA relevance)

(2023/C 154/11)

1. On 21 April 2023, 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:

— EQT Fund Management S.à.r.l. ('EFMS', Luxembourg), solely owned and controlled by EQT AB ('EQT', Sweden), and appointed as the fund manager of EQT Future, an EQT investment fund,

— AM Fresh Group UK Limited ('AM Fresh', United Kingdom),

— Special New Fruit Licensing Holding Company, S.L. ('SNFL', Spain), controlled by AM Fresh,

— International Fruit Genetics, LLP ('IFG', United States), owned by Sunridge Nurseries, Inc. (Sunridge) and Grapery, Inc. (Grapery).

The notification consists of two simultaneous interrelated operations. EQT Future and AM Fresh will first acquire within the meaning of Article 3(1)(b) of the Merger Regulation joint control of the whole of SNFL. EQT Future and AM Fresh will then acquire, indirectly *via* SNFL, and within the meaning of Article 3(1)(b) of the Merger Regulation, joint control of IFG's assets.

The first concentration is accomplished by way of purchase of shares. The second is accomplished by way of purchase of assets.

2. The business activities of the undertakings concerned are the following:

— EQT Future is an EQT investment fund, which does not hold any stake in companies engaged in the same activities of SNFL and IFG or in activities that could be considered upstream or downstream;

— AM Fresh is active in the growing of fruits (including table grapes) and vegetables, the wholesale commercialisation of chilled fruits and the production and commercialization of juices, smoothies, and healthy drinks for distributor own brand;

— SNFL and IFG both breed and develop new protected varieties of table grape vines and license them worldwide.

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.

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.10783 – EQT FUTURE / AM FRESH / SNFL / IFG

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').

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

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

Postal address:

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