C/2024/1988

6.3.2024

Prior notification of a concentration

(Case M.11419 - OPEN PASS / FORTENOVA GROUP)

Candidate case for simplified procedure

(Text with EEA relevance)

(C/2024/1988)

1. On 26 February 2024, 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:

— Open Pass Limited ('Open Pass', Malta), controlled by the private individual Pavao Vujnovac, (together with other (in) directly controlled companies, the 'PV Group')

— Fortenova Group MidCo B.V. ('Fortenova Group', the Netherlands)

Open Pass will acquire within the meaning of Article 3(1)(b) of the Merger Regulation sole control of the whole of Fortenova Group.

The concentration is accomplished by way of purchase of shares.

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

— PV Group is active in the wholesale of fresh fruits and vegetables, non-perishable products made of fruit and vegetables, wholesale of products and non-food products, trade, import and supply of natural gas, production and supply of electricity, rail transport and real estate in Croatia and Slovenia and various non-EU countries in the Balkans,

— Fortenova Group is active in agriculture, food production and the supply of daily consumer goods in Croatia and Slovenia and various non-EU countries in the Balkans.

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 treatment for certain concentrations under Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings ([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.11419 – OPEN PASS / FORTENOVA GROUP

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

([1]) OJ L 24, 29.1.2004, p. 1 (the 'Merger Regulation').
([2]) OJ C 160, 5.5.2023, p. 1.

Postal address:

European Commission
Directorate-General for Competition
Merger Registry
1049 Bruxelles/Brussel
BELGIQUE/BELGIË