

Prior notification of a concentration
(Case COMP/M.3787 — Heinemann/HDS Retail)
Candidate case for simplified procedure

(2006/C 6/07)

(Text with EEA relevance)

1. On 4 January 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Gebr. Heinemann ('Heinemann', Germany) and HDS Retail Deutschland GmbH ('HDS Retail', Germany), controlled by Lagardère SCA ('Lagardère', France), acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking FERS Flughafeneinzelhandelsgesellschaft Relay Services GmbH ('FERS', Germany) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- Heinemann: Wholesale and retail trade of consumer goods at airports, borders and on ships;
- HDS Retail: Retail of press and media products as well as consumer goods;
- FERS: Retail of press and media products as well as consumer goods at airports.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under 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. Observations can be sent to the Commission by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.3787 — Heinemann/HDS Retail, to the following address:

European Commission
Competition DG
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.